Registered No. WB/SC-247

No. WB/CPS/K-1/(Part I)/96

180
25.9.98

The Calcutta Gazette

सत्यमेव जयते

Extraordinary

Published by Authority

PAUSA 11] MONDAY, JANUARY 1, 1996 [SAKA 1917

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

JUDICIAL DEPARTMENT

NOTIFICATION

No. 75-J—dated, the 1st January, 1996—In exercise of the power conferred by section 4, read with section 3, of the Bengal, Agra and Assam Civil Courts Act, 1887 (12 of 1887), the Governor is pleased hereby to establish, with effect from the 1st day of January, 1996, Court of Munsif for the Sub-division Bidhannagar in the district of North 24-Parganas.

2. In exercise of the power conferred by Sub-section (1) of section 14 of the Bengal, Agra and Assam Civil Courts Act, 1887 (12 of 1887), the Governor is further pleased to fix Sealdah, the seat of the existing Courts of Munsif of the district of North 24-Parganas exercising jurisdiction over the areas now included in Bidhannagar Sub-division, as the place at which the Court of the Munsif for the Sub-division of Bidhannagar under the said Act, is to be held.

By order of the Governor,

P. K. SENGUPTA,

Secretary to the Govt. of West Bengal

NOTIFICATION

No. 74-J—dated, the 1st January, 1996, Calcutta.—In exercise of the power conferred by section 4, read with section 3, of the Bengal, Agra and Assam Civil Courts Act, 1887 (12 of 1887), the Governor is pleased hereby to establish, with effect from the 1st day of January, 1996, one Court of the Munsif for the Sub-division of Tehatta in the district of Nadia.

2. In exercise of the power conferred by Sub-section (1) of section 14 of the Bengal, Agra and Assam Civil Courts Act, 1887 (12 of 1887), the Governor is further pleased to fix Krishnagar in the sub-division of Krishnagar in the district of Nadia as the place at which the Cour of the Munsif for the sub-division of Tehatta under the said Act, is to be held.

By order of the Governor,

P. K. SENGUPTA,

Secretary to the Govt. of West Bengal

NOTIFICATION

No. 75-J—dated, Colcutta the 1st January, 1996.—In exercise of the power conferred by section 4, read with section 3, of the Bengal, Agra and Assam Civil Courts Act, 1887 (12 of 1887), the Governor is pleased hereby to establish, with effect from the 1st day or January, 1996, one Court of the Munsif for the Sub-division of Canning in the district of South 24-Pargans.

2. In exercise of the power conferred by Sub-section (1) of section 14 of the Bengal, Agra and Assam Civil Courts Act, 1887 (12 of 1887), the Governor is further pleased to fix Alipore in the Sub-division of Alipore in the district of South 24Parganas as the place at which the Court of the Munsif for the Sub-division of Canning under the said Act, is to be held.

By order of the Governor,

P. K. SENGUPTA,

Secretary to the Govt. of West Bengal

NOTIFICATION

No. 76-J—dated, Calcutta, the 1st January, 1996.—In exercise of the power conferred by section 4, read with section 3, of the Bengal, Agra and Assam Civil Courts Act, 1887 (12 of 1887), the Governor is pleased hereby to establish, with effect from the 1st day of January, 1996, one Court of the Munsif for the Sub-division of Kakdwip in the district of South 24-Parganas.

2. In exercise of the power conferred by Sub-section (1) of Section 14 of the Bengal, Agra and Assam Civil Courts Act, 1887 (12 of 1887), the Governor is further pleased to fix Diamondharbour in the Sub-division of Diamondharhour in the district of South 24-Parganas as the place at which the Court of the Munsif for the Sub-division of Kakdwip under the said Act, is to be held.

By order of the Governor,

P. K. SENGUPTA,

Secretary to the Govt. of West Bengal

The West Bengal Law Clerks Bill, 1996.

STATEMENT OF OBJECTS AND REASONS.

The existing laws and the rules regulating the system of registration, licensing, right to act, standard of professional conduct and the matters relating to the rights, duties, obligations, discipline, and welfare of law clerks have been found to be inadequate and insufficient to meet the present day requirements.

2. In order to give a legal status to the law clerks, to regulate the matters as aforesaid more effectively and in a democratic manner, to provide for the welfare of the law clerks as a whole which is so far neglected, and to ensure justice, social status and uniform opportunity, the necessity of a comprehensive legislation is being felt for some time past.

3. The Bill has been framed to achieve the above purposes.

4. No additional expenditure is involved to give effect to the provisions of the Bill on its being passed into law.

CALCUTTA,
The 18th December, 1996.

NISITH ADHIKARY,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Registered No. WB/SC-247 No. WB(Part-IV)/96/SAR-36

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PAUSA 10] TUESDAY, DECEMBER 31, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 3370-L.—31st December, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 34 of 1996

THE WEST BENGAL ESTATES ACQUISITION (AMENDMENT) BILL, 1996.

A

BILL

to amend the West Bengal Estates Acquisition Act, 1953.

WHEREAS it is expedient to amend the West Bengal Estates Acquisition Act, 1953, for the purpose and in the manner hereinafter appearing; West Ben Act I of 1954

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Estates Acquisition (Amendment) Act, 1996.

(2) It shall come into force at once.

The West Bengal Estates Acquisition (Amendment) Bill, 1996.

(Clause 2.)

Amendment of section 44 of West Ben Act I of 1954

2. In sub-section (2a) of section 44 of the West Bengal Estates Acquisition Act, 1953, for the words "forty years," the words "fifty years," shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

The power of the Revenue Officers to correct the record-of-rights suo motu under sub-section (2a) of section 44 of the West Bengal Estates Acquisition Act, 1953, is due to expire on the 3rd November, 1997. This is the only section under which an erroneous record-of-rights may be corrected. The drive for detection of lands held clandestinely by big land owners is still continuing and the said section has become an important instrument for counteracting evasion of ceiling by unscrupulous owners. Moreover, there are a number of mouzas where records were finally published long ago and correction of entry has been found to be necessary by initiating suo motu proceedings under the said section. Besides, there are a good number of cases relating to sub-section (2a) of section 44 of the said Act, which are still awaiting disposal, particularly in respect of the District of Purulia and Islampur Sub-division of Uttar Dinajpur District where the work regarding preparation or revision of record-of-rights was started long after the commencement of the West Bengal Estates Acquisition Act, 1953. It is also necessary to give effect to the orders of different Courts for starting the proceedings afresh after removal of old entries. In the circumstances as aforesaid, the Revenue Officers should have power to revise any entry in the record-of-rights suo motu for a further period of ten years beyond the existing period of forty years which is due to expire on the 3rd November, 1997. It is, therefore, necessary to amend sub-section (2a) of section 44 of the said Act.

2. The Bill seeks to achieve the purpose.

CALCUTTA,
The 20th December, 1996.

SURJYA KANTA MISHRA,
Member-in-charge.

FINANCIAL MEMORANDUM.

There is no financial implication involved in the Bill.

CALCUTTA,
The 20th December, 1996.

SURJYA KANTA MISHRA,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

NOTIFICATION

No. 77-J—dated, caltutta, the 1st January, 1996.—In exercise of the power conferred by section 4, read with section 3, of the Bengal, Agra and Assam Civil Courts Act, 1887 (12 of 1887), the Governor is pleased hereby to establish, with effect from the 1st day of January, 1996, one Court of the Munsif for the Sub-division of Kharagpur in the district of Midnapore.

2. In exercise of the power conferred by Sub-section (1) of section 14 of the Bengal, Agra and Assam Civil Courts Act, 1887 (12 of 1887), the Governor is further pleased to fix Midnapore in the Sub-division of Midnapore in the district of Midnapore as the place at which the Court of the Munsif for the Sub-division of Kharagpur under the said Act, is to be held.

By order of the Governor,

P. K. SENGUPTA,

Secretary to the Govt. of West Bengal

NOTIFICATION

No. 78-J—dated, Calcutta, the 1st January, 1996.—In exercise of the power conferred by Sub-section(1) of section 11 of the Code of Criminal procedure, 1973 (2 of 1974), the Governor, in consultation with the High Court, Calcutta, is pleased hereby to extablish at Tehatta in the district of Nadia a Court of Judicial Magistrate to be stationed in the existing Court of Judicial Magistrate at Krishnnagar, for the present, as specified in the Schedule below.

THE SCHEDULE

Sl. No.	Place	No. of Court
1.	Tehatta	One

By order of the Governor,

P. K. SENGUPTA,

Secretary to the Govt. of West Bengal

NOTIFICATION

No. 79-J—dated, Calcutta, the 1st January, 1996.—In exercise of the power conferred by Sub-section (1) of section 11 of the Code of Criminal Procedure 1973 (2 of 1974), the Governor, in consultation with the High Court, Calcutta, is pleased hereby to establish at Baruipur in the district of South 24-Parganas a Court of Judicial Magistrate to be stationed in the existing Court of Judicial Magistrate at Alipore, for the present, as specified in the Schedule below.

THE SCHEDULE

Sl. No.	Place	No. of Court
1.	Baruipur	One

By order of the Governor,

P. K. SENGUPTA,

Secretary to the Govt. of West Bengal

NOTIFICATION

No. 80-J—dated, Calcutta the 1st January, 1996.—In exercise of the power conferred by Sub-section (1) of section 11 of the Code of Criminal Procedure, 1973 (2 of 1974), the Governor, in consultation with the High Court, Calcutta, is pleased hereby to establish at Canning, in the district of South 24-Parganas a Court of Judicial Magistrate to be stationed in the existing Court of Judicial Magistrate at Alipore, for the present, as specified in the Schedule below.

THE SCHEDULE

Sl. No.	Place	No. of Court
1.	Canning	One

By order of the Governor,

P. K. SENGUPTA,

Secretary to the Govt. of West Bengal

NOTIFICATION

No. 81-J—dated, Calcutta, the 1st January, 1996.—In exercise of the power conferred by Sub-section(1) of section 11 of the Code of Criminal procedure, 1973 (2 of 1974), the Governor, in consultation with the High Court, Calcutta, is pleased hereby to establish at Kakdwip in the district of South 24-Parganas a Court of Judicial Magistrate to be stationed in the existing Court of Judicial Magistrate at Dimondharbour, for the present, as specified in the Schedule below.

THE SCHEDULE

Place	No. of Court
Kakdwip	One

By order of the Governor,

P. K. SENGUPTA,

Secretary to the Govt. of West Bengal

NOTIFICATION

No. 82-J—dated, Calcutta, the 1st January, 1995.—In exercise of the power conferred by Sub-section (1) of section 11 of the Code of Criminal Procedure 1973 (2 of 1974), the Governor, in consultation with the High Court, Calcutta, is pleased hereby to establish at Bidhannagar in the district of Notth 24-Parganas a Court of Judicial Magistrate to be stationed in the existing Court of Judicial Magistrate at Barrackpore, for the present, as specified in the Schedule below.

THE SCHEDULE

Sl. No.	Place	No. of Court
1.	Bidhanngaar	One

By order of the Governor,

P. K. SENGUPTA,

Secretary to the Govt. of West Bengal

NOTIFICATION

No. 83-J—dated, Calcutta the 1st January, 1996.—In exercise of the power conferred by Sub-section (1) of section 11 of the Code of Criminal Procedure, 1973 (2 of 1974), the Governor, in consultation with the High Court, Calcutta, is pleased hereby to establish at Kharagpur, in the district of Midnapore a Court of Judicial Magistrate to be stationed in the existing Court of Judicial Magistrate at Midnapore, for the present, as specified in the Schedule below.

THE SCHEDULE

Sl. No.	Place	No. of Court
1.	Kharagpur	One

By order of the Governor,

Sd/- P. K. SENGUPTA,

Secretary to the Govt. of West Bengal.

NOTIFICATION

No. 84-J—dated, Calcutta, the 1st January, 1996—In exercise of the power conferred by Sub-section (1) of section 11 of the Code of Criminal Procedure 1973 (2 of 1974), the Governor, in consultation with the High Court, Calcutta, is pleased hereby to extablish at Tehatta in the district of Nadia a Court of Sub-Divisinal Judicial Magistrate to be stationed in the existing Court of Sub-Divisional Judicial Magistrate at Krishnnagar, for the present, as specified in the Schedule below.

THE SCHEDULE

Place	No. of Court
Tehatta	One

By order of the Governor,

Sd/- P. K. SENGUPTA,

Secretary to the Govt. of West Bengal.

NOTIFICATION

No. 85-J—dated, Calcutta, the 1st January, 1996.—In exercise of the power conferred by Sub-section(1) of section 11 of the Code of Criminal procedure, 1973 (2 of 1974), the Governor, in consultation with the High Court, Calcutta, is pleased hereby to extablish at Baruipur in the district of South 24-Parganas a Court of Sub-Divisional Judicial Magistrate to be stationed in the existing Court of Sub-Divisional Judicial Magistrate at Alipore for the present, as specified in the Schedule below.

THE SCHEDULE

Sl. No.	Place	No. of Court
1.	Baruipur	One

By order of the Governor,

Sd/- P. K. SENGUPTA,

Secretary to the Govt. of West Bengal.

NOTIFICATION

No. 86-J—dated, Calcutta the 1st January, 1996.—In exercise of the power conferred by Sub-section (1) of section 11 of the Code of Criminal Procedure, 1973 (2 of 1974), the Governor, in consultation with the High Court, Calcutta, is pleased hereby to establish at Canning in the district of South 24-Parganas a Court of Sub-Divisional Judicial Magistrate to be stationed in the existing Court of Sub-Divisinal Judicial Magistrate at Alipore, for the present, as specified in the Schedule below.

THE SCHEDULE

Sl. No.	Place	No. of Court
1.	Canning	One

By order of the Governor,

Sd/- P. K. SENGUPTA,

Secretary to the Govt. of West Bengal.

NOTIFICATION

No. 87-J—dated, Calcutta, the 1st January, 1996.—In exercise of the power conferred by Sub-section(1) of section 11 of the Code of Criminal procedure, 1973 (2 of 1974), the Governor, in consultation with the High Court, Calcutta, is pleased hereby to extablish at Kakdwip in the district of South 24-Parganas a Court of Sub-divisional Judicial Magistrate to be stationed in the existing Court of Judicial Magistrate at Diamond Harbour, for the present, as specified in the Schedule below.

THE SCHEDULE

Place	No. of Court
Kakdwip	One

By order of the Governor,

Sd/- P. K. SENGUPTA,

Secretary to the Govt. of West Bengal.

NOTIFICATION

No. 88-J—dated, Calcutta, the 1st January, 1996.—In exercise of the power conferred by Sub-section (1) of section 11 of the Code of Criminal Procedure, 1973 (2 of 1974), the Governor, in consultation with the High Court, Calcutta, is pleased hereby to establish at Kharagpur in the district of Midnapore, a Court of Sub-Divisional Judicial Magistrate to be stationed in the existing Court of Judicial Magistrate at Midnapore, for the present, as specified in the Schedule below.

THE SCHEDULE

Sl. No.	Place	No. of Court
1.	Kharagpur	One

By order of the Governor,

Sd/- P. K. SENGUPTA,

Secretary to the Govt. of West Bengal.

NOTIFICATION

No. 89-J—dated, Calcutta the 1st January, 1996.—In exercise of the power conferred by Sub-section (1) of section 11 of the Code of Criminal Procedure, 1973 (2 of 1974), the Governor, in consultation with the High Court, Calcutta, is pleased hereby to establish at Bidhannagar in the district of North 24-Parganas a Court of Sub-Divisional Judicial Magistrate to be stationed in the existing Court of Sub-Divisional Judicial Magistrate at Barrackpore, for the present, as specified in the Schedule below.

THE SCHEDULE

Sl. No.	Place	No. of Court
1.	Bidhannagar	One

By order of the Governor,

Sd/- P. K. SENGUPTA,

Secretary to the Govt. of West Bengal.

NOTIFICATION

No. 90-J—1st January, 1996.—In exercise of the power conferred by sub-section (1) of section 13 of the Bengal, Agra and Assam Civil Court's Act, 1887 (12 of 1887), and in supersession of all previous notifications on the subject, the Governor is pleased hereby to fix with effect from the 1st day of January, 1996, the local limits of the jurisdiction of the Courts of Munsifs in the district of South 24-Parganas mentioned in column (1) of the Schedule below, comprising areas included within the Jurisdiction of the police stations specified from time to time under clauses(s) of section 2 of the Code of Criminal Procedure, 1973 (2 of 1974) and mentioned against the said Courts in Column (2) of the said Schedule.

THE SCHEDULE

Sl. No.	Name of the Courts of Munsif (1)	Local limits of the jurisdiction (2)
	Courts of Munsif at Alipore in the district of South 24- Parganas.	1) Alipore, 2) New Alipore, 3) Ekbalpore, 4) Jadavpur, 5) Kasba, 6) Tiljala, 7) Regent Park, 8) Behala, 9) Thakurpukur, 10) Bishnupur, 11) Maheshtala, 12) Bhowanipore, 13) Budge Budge, 14) Metiaburuz, 15) Ballugunge, 16) Watgunge, 17) Garden Reach, 18) South Port, 19) Karya, 20) Tollygunge, 21) Lake 22) Gariahat.
2.	Courts of Munsif at Baruipur in the Dist. of South 24-Parganas.	Bhangore, Sonarpor, Baruipur, Jaynagar and Kultali.
3.	Courts of Munsifs at Sealdah.	Cossiporc, Chitpore, Beliaghata, Phool Bagan, Ultadanga, Narkeldanga, Entally, Beniapukur, Manicktola.
4.	Courts of Munsifs at Canning in the Dist. of South 24-Parganas.	Canning, Basanti and Gosaba.
5.	Courts of Munsif at Diamond Harbour in the Dist. of South 24-Parganas.	Magrahat, Falta, Mandirbazar, Diamond Harbour, Kulpi and Mathurapur.
6	Courts of Munsif at Kakdip in the district of South -24Parganas.	Kakdwip, Namkhana, Sagar and Pathar-pratima

By order of the Governor,

Sd/- P. K. SENGUPTA,

Secretary to the Government of West Bengal.

NOTIFICATION

No. 91-J—1st January, 1996.—In exercise of the power conferred by sub-section (1) of section 13 of the Bengal, Agra and Assam Civil Court's Act, 1887 (12 of 1887), and in supersession of all previous notification on the subject, the Governor is pleased hereby to fix with effect from the 1st day of January, 1996, the local limits of the jurisdiction of the Courts of Munsifs in the district of North 24-Parganas mentioned in column (1) of the Schedule below, comprising areas included within the jurisdiction of the police stations specified from time to time under clauses (s) of section 2 of the Code of Criminal Procedure, 1973 (2 of 1974) and mentioned against the said Courts in column (2) of the said Schedule.

THE SCHEDULE

Sl. No. (1)	Name of the Court of Munsif. (2)	Local limits of the jurisdiction (3)
1.	Courts of Munsif for the sub-division of Barasat in the district of North 24-Parganas.	Barasat, Rajarhat, Deganga, Habra, Bijpur, Jagatdal, Naihati.
2.	(a) Courts of Munsif at Sealdah.	Barrackpore, Titagarh, Noapara, Khardah, Baranagar, Belghoria, Dum Dum, Nimta and Airport.
	(b) Courts of Munsif at Sealdah.	Bidhannagar North, Bidhannagar East, Bidhannagar South and Lake Town.
3.	Courts of Munsif at Bashirhat in the dist. of North 24-Parganas.	Bashirhat, Baduria, Swarupnagar, Haroa, Minakha, Hansnabad, Hingalganj and Sandesh Khali.
4.	Courts of Munsif at Bongaon in the dist. of North 24-Parganas.	Bangaon, Gaighata, Gopalnagar, Bagda.

By order of the Governor,

Sd/- P. K. SENGUPTA,

Secretary to the Government of West Bengal.

NOTIFICATION

No. 92-J—1st January, 1996.—In exercise of the power conferred by sub-section (1) of section 13 of the Bengal, Agra and Assam Civil Court's Act, 1887 (12 of 1887), and in supersession of all previous notifications on the subject, the Governor is pleased hereby to fix with effect from the 1st day of January, 1996, the local limits of the jurisdiction of the Courts of Munsifs in the district of Nadia mentioned in column (1) of the Schedule below, comprising areas included within the jurisdiction of the police stations specified from time to time under clauses (s) of section 2 of the Code of Criminal Procedure, 1973 (2 of 1974) and mentioned against the said Courts in column (2) of the said Schedule.

THE SCHEDULE

Sl. No.	Name of the Court of Munsif. (1)	Local limits of the jurisdiction. (2)
1.	Courts of Munsif at Krishnagar in the District of Nadia.	Krishnagar (Kotwali), Nabadwip, Chapra, Krishnaganj, Kaliganj, and Nakashipara.
2.	Courts of Munsif at Tehatta in the District of Nadia.	Karimpur and Tehatta.
3.	Courts of Munsif at Ranaghat in the district of Nadia.	Ranaghat, Hanskhali, Santipur, Dhantala.
4.	Courts of Munsif at Kalyani in the District of Nadia.	Kalyani, Chakdah and Haringhata.

By order of the Governor,

Sd/- P. K. SENGUPTA,

Secretary to the Government of West Bengal.

NOTIFICATION

No. 93-J.—1st January, 1996.—In exercise of the power conferred by sub-section (1) of section 13 of the Bengal, Agra and Assam Civil Courts Act, 1887 (12 of 1887), and in supersession of all previous notifications on the subject, the Governor is pleased hereby to fix with effect from the 1st day of January, 1996, the local limits of the jurisdiction of the Court of Munsifs in the district of Midnapur mentioned in column (1) of the Schedule below, comprising areas included within the jurisdiction of the police stations specified from time to time under clauses (s) of section 2 of the Code of Criminal Procedure, 1973 (2 of 1974) and mentioned against the said Courts in column (2) of the said Schedule.

THE SCHEDULE

Sl. No.	Name of the Court of Munsif (1)	Local limits of the jurisdiction. (2)
1.	Court of Munsif at Midnapore in the district of Midnapore.	Midnapore, Salboni, Keshpur, Garbeta and Goaltore
2.	(a) Court of Munsif for Kharagpur in the district of Midnapore.	Kharagpur Town, Kharagpur Local, Debra, Sabong, Pingla, Narayangarh, Keshiary.
	(b) Court of Munsif at Danton in the district of Midnapore.	Belda, Danton, Mohanpur, Nayagram and Potashpur.
3.	Court of Munsif at Ghatal in the district of Midnapore.	Ghatal, Daspur and Chandrakona.
4.	Court of Munsif at Tamluk in the District of Midnapore.	Tamluk, Kolaghat, Pashkura, Moyna, Nandakumar, Chandipur.
5.	Court of Munsif, at Haldia in the district of Midnapore.	Haldia, Durgachak, Sutahata, Mahisadal, Nandigram
6.	Court of Munsif at Jhargram in the District of Midnapore.	Binpur, Jamboni, Jhargram, Sankrali, Gopiballavpur, Belpahari, Lalgarh, Belaberya.
7.	Court of Munsif at Contai in the District of Midnapore.	Contai, Khajuri, Egra, Bhagwanpur, Ramnagar, Digha, Bhupatinagar.

By order of the Governor,

Sd/- P. K. SENGUPTA,

Secretary, to the Government of West Bengal.

Published by the Controller of Printing and Stationery West Bengal and Printed by the Superintendent Government Printing the West Bengal Govt Press Kadapara

Registered No. WB/SC-247 **No. WB(Part-IIIA)/96/SAR-1**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PAUSA 15 | FRIDAY, JANUARY 5, 1996 | SAKA 1917

PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Ordinance No. I of 1996

THE WEST BENGAL FIRE SERVICES (AMENDMENT) ORDINANCE, 1996.

WHEREAS it is expedient to amend the West Bengal Fire Services Act, 1950, for the purposes and in the manner hereinafter appearing; West Ben Act XVIII of 1950

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Goverenor is pleased, in exercise of the power conferred by clause (1) of article 213 of the Constitution of India, to make and promulgate the following Ordinance:—

Short title and commencement

1. (1) This Ordinance may be called the West Bengal Fire Services (Amendment) Ordinance, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of section 2 of West Ben Act XVIII of 1950.

2. In section 2 of the West Bengal Fire Services Act, 1950 (hereinafter referred to as the principal Act),—

(1) for clause (a), the following clauses shall be substituted:—

'(a) the expression "building" has the same meaning as assigned to it in the relevant municipal law in force in a local area;

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Section 2.)

(aa) the expression "building rules" means the building rules, building regulations, or building bye-laws, made under the relevant municipal law and in force in a local area, and includes any other building rules or regulations, or any development control rules or regulations, by whatever name called, made under any other law for the time being in force and in force in any local area;';

(2) clause (d) shall be omitted;

(3) after clause (e), the following clause shall be inserted:—

'(ee) "District Magistrate" means the Executive Magistrate appointed to be the District Magistrate under sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, and includes an Additional District Magistrate;'; 2 of 1974.

(4) in clause (f), the words, figure and letter "and includes an Auxiliary Fire Brigade raised under section 3A" shall be omitted;

(5) after clause (g), the following clause shall be inserted:—

'(gg) the expression "fire prevention and fire safety measures" means such measures as may be provided in the building rules or in any other law for the time being in force, or as may be prescribed, for the prevention, control and fighting of fire and for ensuring the safety of life and property in the case of fire;';

(6) for clause (h), the following clauses shall be substituted:—

'(h) "hazardous substance" means—

(i) such explosive within the meaning of the Indian Explosives Act, 1884, or 4 of 1884

(ii) such explosive substance within the meaning of the Explosive Substances Act, 1908, or 6 of 1908.

(iii) such dangerously inflammable substance within the meaning of the Inflammable Substances Act, 1952, or 20 of 1952

(iv) such combustible substance, or

(v) such toxic substance, as the State Government may, by notification, specify;

(ha) "high-rise building" means a building the height of which is fourteen and a half metres or more.

Explanation.—For the purposes of this Act, the height in relation to a building shall mean the vertical distance measured from the average level of the centre line of the street or passage to which the plot of land on which the building is situated abuts to the highest point of the building, whether with flat roof or with sloped roof;

(hb) "high-risk bulding" means a high-rise building or a building with such occupancy within the meaning of the relevant municipal law in force in a local area, or such other occupancy, or such building, or such class or classes of buildings, as the State Government may, by notification, specify;

(hc) "licensed agency" means a person or association of persons to whom a licence has been granted by the Director under this Act for undertaking or executing fire prevention and fire safety measure or for performing such other related activities required to be carried out under this Act in such area as may be specified by the Director;';

(7) in clause (hh), after the words "local authority has jurisdiction", the words "or any other area defined by boundaries for the purposes of this Act" shall be inserted;

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Section 3.)

(8) after clause (hh), the following clause shall be inserted:—

'(hhh) "local authority" means a municipal authority or Industrial Township Authority within the meaning of the relevant municipal law or a *Gram Panchayat, Panchayat Samiti, Zilla Parishad,* or *Mahakuma Parishad,* constituted under the West Bengal *Panchayat* Act, 1973;'; West Ben. Act XLI of 1973

(9) clause (i) shall be omitted;

(10) after clause (ia), the following clauses shall be inserted:—

'(ib) "nominated authority" means an officer, not below the rank of station officer, as may be nominated by the Director, or such officer as may be nominated by the State Government;

(ic) "notification" means a notification published in the *Official Gazette*;

(id) "occupier" means a person living in, or otherwise using, any land or building owned by him, or a person who, for the time being, is paying, or is liable to pay, to the owner the rent or fee, or is making, or is liable to make, contractual payment to the owner for adjustment of rent or fee, or damages, or any portion thereof, on account of occupation of any land or building, and includes a rent-free tenant;

(ie) "owner" means a person who, for the time being, is receiving the rent of any land or building or any part of any land or building, either on his own account or as an agent of a person, or trustee for a society for any religious or charitable purpose, or as a receiver who would receive such rent if the land or the building or any part thereof were let to a tenant;';

(11) for clause (1), the following clauses shall be substituted:—

'(1) "premises" means a land or building or hut or part of a land or building or hut, and includes—

(i) the garden, ground or out-house, if any, appertaining thereto; or

(ii) any fittings or fixtures afixed to a building or hut or part of a building or hut for the more beneficial enjoyment thereof;

(1a) "the relevant municipal law" means—

(i) the Howrah Municipal Corporation Act, 1980, or West Ben Act LVIII of 1980

(ii) the Calcutta Municipal Corporation Act, 1980, or West Ben Act LIX of 1980

(iii) the Siliguri Municipal Corporation Act, 1990, or West Ben Act XXX of 1990

(iv) the Asansol Municipal Corporation Act, 1990, or West Ben Act XXXI of 1990

(v) the Chandernagore Municipal Corporation Act, 1990, or West Ben Act XXXII of 1990

(vi) the West Bengal Municipal Act, 1993; West Ben Act XXII of 1993

(1b) "superior nominated authority" means such officer, not below the rank of Divisional Fire Officer, as may be nominated by the Director, or such officer as may be nominated by the State Government.';

(12) clause (m) and the *Explanation* thereto shall be omitted.

Amendment of section 3

3. In section 3 of the principal Act,—

(a) in sub-section (1),—

(i) for the words "for service in the local or other areas", the words "for the purposes of extinguishing fire and protecting life and property in the case of fire and for rescue services and such other services as the State Government may, by notification, specify, in the local area or any other area" shall be substituted, and

(ii) for the words "for service therein.", the words "for such purposes or services." shall be substituted;

The West Bengal Fire Services (Amendment) Ordinance, 1996

(Sections 4-10.)

(b) in sub-section (2), after the words "and shall be otherwise constituted in such manner", the words ", and shall consist of such organisational set up," shall be inserted.

Substitution of new section for section 3A

4. For section 3A of the principal Act, the following section shall be substituted:—

"Auxiliary fire brigade

3A The State Government may allow raising of an auxiliary fire brigade for the purposes of extinguishing fire and protecting life and property in the case of fire and for such other services as may be determined by the State Government in any local area or any other area in which this Act is not in force, by the local authority for that area, or any organisation or institution, on such terms and conditions as may be determined by the State Government, and may provide such assistance as may be necessary for raising of such fire brigade and allow enrolment of volunteers and other persons as members of such fire brigade on such terms and conditions as the local authority, with the prior approval of the State Government, may determine "

Insertion of new section 3B

5. After section 3AA, the following section shall be inserted:—

"Powers of members of auxiliary fire brigade

3B The members of the auxiliary fire brigade raised under section 3A may be given such of the powers exercised by the members of the fire brigade employed in the West Bengal Fire Service as the State Government may determine."

Amendment of section 4

6. In section 4 of the principal Act,—

(a) after the words "make such general or special orders", the words " and make such rules," shall be inserted,

(b) after the words "who may infringe orders", the words "or for giving awards to any member of the fire brigade, whose performance is commendable" shall be inserted,

(c) after the words "powers, duties and functions of the Director", the words "and the other members of the fire brigade" shall be inserted,

(d) after the words "in a due state of efficiency", the words ", for recruitment against various categories of posts under the fire brigade and for regulating the terms and conditions of service of the members of the fire brigade" shall be inserted.

Amendment of section 4A

7. In sub-section (1) of section 4A of the principal Act,—

(a) for the words "the limits of any area", the words "its jurisdiction to an area" shall be substituted, and

(b) for the words "in a warehouse or a workshop in the neighbourhood of such limits, the occupier of the warehouse or the workshop", the words, figures and letter "in a premises, which otherwise would have required a 'Fire Safety Certificate' under section 11C or a license under section 12," shall be substituted.

Omission of section 4B

8. Section 4B of the principal Act shall be omitted.

Omission of section 4C

9. Section 4C of the principal Act shall be omitted.

Amendment of section 5

10. In sub-section (1) of section 5 of the principal Act,—

(a) in clause (c), for the word "give", the word "ensure" shall be substituted;

(b) in clause (d), for the words "such powers; and", the words "such powers;" shall be substituted;

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Sections 11-14.)

(c) after clause (e), the following clauses shall be inserted:—

"(f) require an electric supply company or a gas supply company to disconnect supplies and to remain as stand-by for duty until the fire is fully extinguished,

(g) require the Calcutta Tramways Company (1978) Limited or a Railway company, telecom company or electric company to remove overhead lines to facilitate movement of fire-fighting appliances during fire-fighting operations;

(h) require the local authoritites to give prior notice about blocking of roads within the local area so that routing of fire appliances may be planned; and

(i) require telecom companies to assist in tracing and recording fire calls.".

Substitution of new section for section 5A

11. For section 5A of the principal Act, the following section shall be substituted:—

"Local authority or other agency to secure supply of water

5A The local authority or any other agency responsible for water supply in an area or owning a source of water or reservoir, shall secure adequate supply of water to the members of the fire brigade or the auxiliary fire brigade raised under section 3A for fire fighting operations on no-charge basis, and shall ensure that such supplies are available at all material times for such purpose "

Substitution of new section for section 5B

12. For section 5B of the principal Act, the following section shall be substituted:—

"Person or authority to provide all assistance to deal with fire and rescue service

5B. The Director or the superior nominated authority may require any person or authority maintaining any fire-fighting arrangements to provide all assistance to deal with fire or rescue service.".

Amendment of section 5C

13. In section 5C of the principal Act,—

(a) for the words "is proceeding", the word "proceeds" shall be substituted,

(b) for the words "and using", the words "sounding its" shall be substituted, and

(c) for the words "not being", the words "other than" shall be substituted.

Insertion of new sections 5D and 5E

14. After section 5C of the principal Act, the following sections shall be inserted:—

"Penalty for malicious call to summon fire brigade

5D Any person who makes a malicious call to summon the fire brigade to any place where there is no fire or apprehension of fire or need for rescue work, shall be punishable, on conviction, with fine not exceeding fifty thousand rupees or with imprisonment for a term which may extend to six months or with both.

Penalty for causing obstruction to fire brigade to draw water for fire-fighting purposes

5E. Any person or agency causing obstruction to fire brigade to draw water for fire-fighting purposes from any reservoir or source located in any premises shall be punishable, on conviction, with fine not exceeding fifty thousand rupees or with imprisonment for a term which may extend to six months or with both "

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Sections 15-17.)

Amendment of section 8

15. In section 8 of the principal Act,—

(a) in sub-section (1),—

(i) for the word "Magistrate", the words "District Magistrate" shall be substituted,

(ii) for the words "shall have", the word "has" shall be substituted, and

(iii) the words "; and the said Magistrate, in any case where he may see fit, shall summon witnesses and take evidence in order to the further ascertainment of such facts" shall be omitted;

(b) after sub-section (1), the following sub-section shall be inserted:—

"(1A) The District Magistrate on receiving the report under sub-section (1) may, if he deems fit, cause, either by himself or by any other Magistrate not below the rank of Sub-Divisional Magistrate, an enquiry, summon witnesses and take evidence about the cause of fire and effectiveness of the fire-fighting operations and recommend actions as may be required to be taken to prevent recurrence of similar fire incidents. The District Magistrate shall submit his findings along with his recommendations to the State Government under intimation to the Director. The Director shall take such measures as he may deem fit and necessary on the basis of the said findings and recommendations, and inform the State Government accordingly:

Provided that the State Government may require any fire incident to be enquired into by a committee specially constituted for the purpose in addition to, or in place of, the enquiry as aforesaid.";

(c) for sub-section (2), the following sub-section shall be substituted:—

"(2) Copies of the report referred to in sub-section (1) may be furnished by the District Magistrate to a fire assurance company or other person interested, on payment of such fees and in such manner as may be prescribed.".

Amendment of section 10.

16. In section 10 of the principal Act,—

(a) after sub-section (1), the following sub-section shall be inserted:—

"(1A) The Collector shall grant or refuse a licence under section 9 on the basis of a report from the Director or the nominated authority.";

(b) in sub-section (2),—

(i) in clause (a), for the words "one rupee.", the words "such as may be prescribed." shall be substituted,

(ii) in clause (b), for the words "fifteen rupees", the words "such as may be prescribed and shall be" shall be substituted.

Insertion of new Chapter IIIA

17. After Chapter III of the principal Act, the following Chapter shall be inserted:—

"CHAPTER IIIA

Fire Prevention and Fire Safety

General public to take preventive measures for safety from fire etc.

11A. Subject to the provisions of the relevant municipal law, a local authority may require the general public residing in an area within its jurisdiction to take such preventive measures as may be required for safety from fire and other similar hazards.

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Section 17.)

Owner or occupier of building to make or carry out arrangements necessary for fire prevention etc

11B. Subject to the provisions of the relevant municipal law and the building rules in force and in consultation with the Director, a local authority may, by general or special order, require the owner or occupier of any building of any or all categories to make or carry out such arrangements as may be necessary for fire prevention and fire safety in that area

Owner or occupier of high risk building to provide fire prevention and fire safety measures

11C (1) The owner or, where the owner is not traceable, the occupier of a high-risk building or part thereof shall provide fire prevention and fire safety measures in such building or part thereof and the occupier shall maintain the fire prevention and fire safety measures in good repair and in efficient condition at all times in accordance with the provisions of this Chapter or the rules made thereunder

Provided that in the case of such building or part thereof, the construction of which has been completed on any date before the date on which this Chapter comes into force, the occupier and, in the case of such building or part thereof which is under construction on the date immediately before the date on which this Chapter comes into force, the owner shall undertake and carry out such additional fire prevention and fire safety measures as are specified in the notice served on him under section 35

(2) The owner or occupier, as the case may be, shall furnish to the Director or the nominated authority a 'Fire Safety Certificate' in the prescribed form issued by a licensed agency regarding the compliance of the fire prevention and fire safety measures in his building or part thereof, as may be required by the Director or the nominated authority, and shall also furnish to the Director a 'Fire Safety Certificate' in the prescribed form every year in the month of January regarding the maintenance of fire prevention and fire safety measures in good repair and in efficient condition as specified in sub-section (1).

(3) The State Government may require compulsory endorsement of 'Fire Safety Certificate' by the Director or by a superior nominated authority in respect of any class or classes of high-risk buildings as may be notified by the State Government from time to time

Provided that the Director or a superior nominated authority shall not endorse any 'Fire Safety Certificate' unless he or it is satisfied about the fire prevention and fire safety measures including safety of electrical installations and provision of supply of adequate quantity of water for fighting purposes made by the owner or occupier of such building.

(4) The occupiers of all high-risk buildings shall carry out a mock fire drill involving the watch and ward staff of such buildings every year under intimation to the Director or the nominated authority in such manner as may be prescribed and a certificate of performance of such drill shall be furnished to the Director or the nominated authority, as the case may be.

(5) No person shall tamper with, or alter, or remove, or cause any injury or damage to, any fire prevention or fire safety equipment installed in any such building or part thereof or instigate any other person to do so

'No objection' required under any other law

11D Where a 'no objection' regarding fire prevention and fire safety measures for a building or installation under the Indian Explosives Act, 1884, or the Explosive Substances Act, 1908, or the Petroleum Act, 1934, or the Inflammable Substances Act, 1952, or the Cinematograph Act, 1952, or the rules made thereunder, or under any other law for the time being in force, is required from the Director, he shall follow the procedure for the grant of 'Fire Safety Certificate' as provided in section 11C.

4 of 1884
6 of 1908
30 of 1934
20 of 1952
37 of 1952

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Section 17.)

Special fee

11E. (1) With effect from such date as the State Government may, by notification, appoint in this behalf, there shall be levied a special fee for the purposes of this Act on the owners of such class or classes of high-risk buildings within a local area in which this Act is in force as may be prescribed:

Provided that no special fee shall be levied on any such building or part thereof, which by virtue of its being used for any of the purposes referred to in section 12, requires a licence under that section.

(2) (a) The State Government shall prescribe by rules the rate of special fee for different classes of high-risk buildings on the basis of the total floor area of all the floors of a building as shown in the approved building plan

Provided that the rate of such special fee may be different for different local areas.

(b) The manner of imposition, assessment and collection of such special fee shall be such as may be prescribed.

(3) The special fee referred to in sub-section (1) shall be payable by the owner of a high-risk building at the time of submission of application to a local authority for approval of the building plan under the building rules:

Provided that in the case of every high-risk building referred to in sub-section (1), the construction of which has been completed on any date before the date of coming into force of this Chapter or, in the case of any such building the construction of which has been completed on or after the date of coming into force of this Chapter, the special fee, unless it has already been paid in accordance with the provisions of any other law in force on the date immediately before the date appointed under sub-section (1), shall be payable,—

(a) in the former case, by the owner or, if the owner is not traceable, the occupier, and

(b) in the latter case, by the owner,

of the building within three months from the date of receipt by the owner or occupier, as the case may be, of the notice of demand in this behalf.

(4) The State Government may also levy annually a further special fee referred to in sub-section (1) with a view to defraying the expenses for regular checking and inspection and other incidental expenses so as to require and cause the occupier of a high-risk building to keep the necessary installations in fit condition, and such special fee shall be payable by the occupier, in the case of a building existing on the date immediately before the date appointed under sub-section (1), from the date appointed under sub-section (1), and, in the case of a building the construction of which has been completed on or after the date appointed under sub-section (1), from the date of occupancy of the building as may be certified by the local authority, and in advance annually at the time of submission of the 'Fire Safety Certificate' under sub-section (2) of section 11C:

Provided that the liability of the occupier to pay the special fee under this sub-section shall be only to the extent of the special fee payable in respect of the floor area of the building under his occupation including his share of the area comprising common facilities in such building or part thereof.

Explanation.—Notwithstanding anything contained elsewhere in this Act, for the purposes of this section and section 11C, "owner" shall include a promoter as defined in the West Bengal Building (Regulation of Promotion of Construction and Transfer by Promoters) Act, 1993, or a co-operative society, or a company or an owner of an apartment as defined in the West Bengal Apartment Ownership Act, 1972.

West Ben Act XX of 1993
West Ben Act XVI of 1972

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Section 18.)

Grant of license to act as licensed agency

11F. (1) The Director may, from time to time and in accordance with such qualifications, experience or other matter in this behalf as may be prescribed in respect of such classes of buildings as may be prescribed, grant any person or association of persons, a license to act as licensed agency for the purposes of this Act.

(2) Every such license shall be renewed every three years.

(3) The State Government may, from time to time, prescribe a scale of fee for licensed agencies in respect of any class of building, if there is no written contract in this behalf to the contrary.

(4) Where the Director has reason to believe that any person to whom a license has been granted under sub-section (1) has contravened any provisions of this Act or the rules made thereunder or has failed to comply with the conditions of the license or is unfit to hold the license by reason of incompetence, misconduct or any other reasons, the Director may, after giving the person a reasonable opportunity to show cause, suspend or cancel the license, after recording the reasons in writing.

Bar to carry out work of providing fire prevention etc.

11G. No person, other than a licensed agency, shall carry out the work of providing fire prevention and fire safety measures or performing such other related activities required to be carried out in any high-risk building or part thereof under this Act.

Bar to compromise fire safety.

11H. Where the wilful default on the part of a licensed agency in respect of fire safety of any building or premises is compromised, such licensed agency shall be liable to criminal prosecution and, in the event of any fire accident in such building or premises, shall make good all damages on account of such fire accident.

Appeal against order of Director.

11I. (1) Any person aggrieved by an order of the Director under this Chapter may, within thirty days of the service of the order, prefer an appeal to such authority as may be prescribed.

(2) The manner in which an appeal shall be filed and the manner of deciding the appeal shall be such as may be prescribed.

Penalty for contravention of provisions of Chapter IIIA.

11J. Whoever contravenes any provision of Chapter IIIA or the rules made thereunder or fails to comply with any requisition lawfully made to him under any provision of Chapter IIIA or the rules made thereunder shall, without prejudice to any other action that may be taken against him under section 36 or section 37, be punishable with imprisonment for a term of three years which may extend to five years or with fine of twenty thousand rupees which may extend to five lakh rupees or with both and, where the offence is a continuing one, with a further fine of one thousand rupees which may extend to ten thousand rupees for every day during which such offence continues after the conviction for the first such offence.

Penalty for furnishing false 'Fire Safety Certificate'

11K. Any person associated with a licensed agency for any of the purposes of Chapter IIIA, who knowingly furnishes a false 'Fire Safety Certificate', shall be punishable with imprisonment for a term of three years which may extend to five years or with fine of twenty thousand rupees which may extend to five lakh rupees or with both.".

Amendment of heading in Chapter IV.

18. In Chapter IV of the principal Act, for the heading "Licensed Warehouses or Workshops.", the heading "License for Storing Hazardous Substances." shall be substituted.

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Sections 19-22.)

Substitution of new section for section 12

19. For section 12 of the principal Act, the following section shall be substituted.—

"Bar to use of premises for storing or processing hazardous substances without license

12 No premises in any area where this Act is in force shall be used for the purpose of storing or processing at any material point of time hazardous substances beyond such quantity as may be prescribed unless the owner or occupier thereof shall have previously been granted a license by the Collector.".

Substitution of new section for section 13

20. For section 13 of the principal Act, the following section shall be substituted:—

"Premises to conform to prescribed conditions

13. No license to use any premises for the purpose referred to in section 12 shall be granted unless such premises conforms to such conditions as may be prescribed ".

Substitution of new section for section 14

21. For section 14 of the principal Act, the following section shall be substituted·—

"Issue of license

14. An application for license referred to in section 12 shall be made to the Collector in the prescribed form along with an authenticated copy of the 'Fire Safety Certificate', duly endorsed under section 11C, and such other documents as may be prescribed. The Collector shall, on scrutiny of the application, the 'Fire Safety Certificate' and other documents, compute the annual fee payable by the applicant and shall, on payment of such fee in advance, issue the licence to the applicant on such terms and conditions as may be prescribed

Provided that any owner or occupier of any premises which requires a license under section 12 and who holds a valid license under this Act on the day immediately before the date of coming into force of the West Bengal Fire Services (Amendment) Ordinance, 1996, shall not be required to apply for a license but shall, at the time of renewal, make an application for a fresh license under this Act·

Provided further that where any owner or occupier of any premises which requires a license under section 12 has made an application for a license under this Act before the coming into force of the West Bengal Fire Services (Amendment) Ordinance, 1996, but has not been granted a license till the date immediately before the date of coming into force of that Ordinance, such owner or occupier shall be required to make an application for such license in accordance with the provisions of this Act ".

Amendment of section 15

22. In section 15 of the principal Act,—

(a) for the marginal note, the following marginal note shall be substituted:—

"Conditions of grant of license.";

(b) for sub-section (1), the following sub-section shall be substituted —

"(1) Non-fulfilment of any fire prevention and fire safety measures as may be referred to in the 'Fire Safety Certificate' shall be a breach of a condition of license.";

(c) for sub-section (2), the following sub-section shall be substituted·—

"(2) Every license granted under section 12 shall be required to be renewed annually, application for renewal of license along with duly endorsed 'Fire Safety Certificate' and such other documents as may be prescribed shall be made to the Collector, who shall renew the license on such scrutiny as he may consider necessary and on payment of the prescribed annual fees·

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Sections 23-25.)

Provided that if an applicant so desires, he may renew the license for three years at a time on payment of the prescribed fees.";

(d) for sub-section (3), the following sub-section shall be substituted:—

"(3) The annual fee shall be payable in advance in respect of the period commencing from the date from which the premises is used for the purpose referred to in section 12 in the case of new license, and from the date following the date of expiry of the license in the case of the renewal of license.";

(e) in sub-section (4),—

(i) for the words, figures and brackets "sub-section (1) or sub-section (3),", the word and figures "section 14," shall be substituted;

(ii) for the words "building or place", the word "premises" shall be substituted;

(iii) for the words "used as a warehouse or workshop is in the public interest", the words and figures "used for the purpose referred to in section 12 is" shall be substituted;

(f) in sub-section (5),—

(i) for the word "from", the word "against" shall be substituted, and

(ii) in the proviso, for the words "a court-fee stamp of one rupee.", the words "such court-fee stamp as may be prescribed." shall be substituted.

Amendment of section 16.

23. In section 16 of the principal Act,—

(a) the words and figures "or under section 15" shall be omitted,

(b) for the word "thirty" in the two places where it occurs, the word "sixty" shall be substituted, and

(c) for the words "for the use as a warehouse or as a workshop of the building or place in respect of which the application was made,", the words and figures "for the use of the premises for the purposes referred to in section 12," shall be substituted.

Omission of section 17.

24. Section 17 of the principal Act shall be omitted.

Substitution of new section for section 18.

25. For section 18 of the principal Act, the following section shall be substituted:—

"Annual fee

18. (1) The annual fee for any premises, which requires a license under section 12, shall be such as may be prescribed:

Provided that the State Government may by rules prescribe different rates of annual fee for different hazardous substances and for different local areas.

(2) A rebate in annual fee at such rate as may be determined by the State Government shall be allowed in the prescribed manner in respect of the premises where the owner or occupier maintains his own fire services, employing qualified and full-time fire personnel supported by adequate fire-fighting appliances:

Provided that a monthly return of the fire-fighting appliances, fire personnel and such other details as may be prescribed shall be furnished to the Director or the superior nominated authority and such fire services shall be subject to inspection by the Director or the superior nominated authority:

Provided further that in case the fire cover provided is found to be inadequate, such rebate may be withdrawn and the annual fee for the period commencing from the date on which the fire cover became inadequate, may be required to be paid.".

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Sections 26-32.)

Amendment of section 19

26. In section 19 of the principal Act,—

(a) the words "and so often as" shall be omitted,

(b) for the words "warehouse or workshop" in the two places where they occur, the words and figures "premises requiring a license under section 12" shall be substituted,

(c) for the words "a fee of ten rupees;", the words "such fee as may be prescribed;" shall be substituted, and

(d) for the words "for the name of the last occupier.", the words "in lieu of the name of the previous occupier." shall be substituted

Substitution of new section for section 20

27. For section 20 of the principal Act, the following section shall be substituted:—

"Suspension or withdrawal of license

20 A license issued under section 14 may, without prejudice to any other action that may be taken aginst the licensee, be suspended or withdrawn by the Collector after giving the licensee an opportunity of being heard, if, in the opinion of the Collector, it is necessary to do so in the public interest or if there has been a breach of any prescribed condition.".

Omission of section 21

28. Section 21 of the principal Act shall be omitted.

Amendment of section 22

29. In section 22 of the principal Act, after the words "any officer or officers", the words " , not below the rank of Sub-Divisional Officer," shall be inserted

Amendment of section 23

30. In sub-section (1) of section 23 of the principal Act,—

(a) for the words "performed also by—", the words "performed also by such other officer or officers as may be specified therein." shall be substituted;

(b) clauses (a), (b), (c) and (d) shall be omitted;

(c) sub-section (2) and sub-section (3) shall be omitted.

Amendment of section 23A

31. In section 23A of the principal Act,—

(a) in sub-section (1),—

(i) after the words "other like material", the words "in an area where this Act is in force" shall be inserted,

(ii) after the words "shall apply to the Director", the words "or the superior nominated authority along with the prescribed fees" shall be inserted, and

(iii) the following proviso shall be added at the end:—

"Provided that the State Government may prescribe by rules the essential requirements of a 'Fire Safety Certificate' in respect of any class or classes of temporary structures or pandals.";

(b) in clause (b) of sub-section (2), after the words "permission of the Director", the words "or the superior nominated authority" shall be inserted.

Substitution of new section for section 23B

32. For section 23B of the principal Act, the following section shall be substituted:—

"Dismantling of temporary structure or pandal

23B The Director or the superior nominated authority with the assistance of the local authority and under police protection shall dismantle a temporary structure or pandal erected in contravention of the provisions of sub-section (1), the cost of such dismantling shall be charged to the person who so erects the temporary structure or pandal, as the case may be.".

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Sections 33-42.)

Amendment of section 23C

33. In section 23C of the principal Act,—
(a) the words "before a Magistrate" shall be omitted, and
(b) for the words "one hundred", the words "two thousand" shall be substituted.

Amendment of section 24

34. In section 24 of the principal Act,—
(a) the words "before a Magistrate" shall be omitted, and
(b) for the words "one hundred", the words "five thousand" shall be substituted

Amendment of section 25

35. In section 25 of the principal Act,—
(a) the words "before a Magistrate" shall be omitted, and
(b) for the words "one hundred", the words "five thousand" shall be substituted

Amendment of section 26

36. In section 26 of the principal Act,—
(a) for the words "building or place as a warehouse or as a workshop", the words and figures "premises for the purpose referred to in section 12" shall be substituted,
(b) the words "before a Magistrate" shall be omitted, and
(c) for the words "warehouse or workshop.", the word "premises" shall be substituted.

Amendment of section 27

37. In section 27 of the principal Act,—
(a) for the words "uses any warehouse or workshop", the words and figures ", for the purpose referred to in section 12, uses any premises" shall be substituted,
(b) the words "before a Magistrate" shall be omitted, and
(c) for the words "warehouse or workshop.", the word "premises." shall be substituted.

Amendment of section 28

38. In section 28 of the principal Act,—
(a) for the words "warehouse or workshop", the word "premises" shall be substituted, and
(b) the words "before a Magistrate" shall be omitted.

Amendment of section 29

39. In section 29 of the principal Act,—
(a) the words "and so often as" shall be omitted,
(b) for the words "any warehouse or workshop,", the words and figures "any premises referred to in section 12,"' shall be substituted,
(c) the words "before a Magistrate" shall be omitted,
(d) for the word "twenty", the words "five thousand" shall be substituted, and
(e) for the words "such warehouse or workshop.", the words "such premises." shall be substituted.

Omission of section 30

40. Section 30 of the principal Act shall be omitted.

Omission of section 31

41. Section 31 of the principal Act shall be omitted.

Substitution of new section for section 32

42. For section 32 of the principal Act, the following section shall be substituted:—

"Owner or occupier of building or premises to compensate person affected by fire

32. Whenever on enquiry into an incident of fire by the District Magistrate or by the committee specially constituted by the State Government under sub-section (1A) of section 8 it is established that the incident of fire was due to wilful default or negligence on the part of the owner or occupier of any building or premises, such owner or occupier

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Sections 43-47.)

shall be liable to compensate every person affected by such fire for the loss sustained by him in addition to his being liable to criminal prosecution.".

Substitution of new section for section 33

43. For section 33 of the principal Act, the following section shall be substituted:—

'Offences by companies

33. (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) "company" means a body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.'.

Amendment of section 33A

44. In section 33A of the principal Act,—

(a) the words "before a Magistrate" shall be omitted,

(b) for the words "one thousand", the words "fifty thousand" shall be substituted, and

(c) for the words "one hundred", the words "three thousand" shall be substituted.

Amendment of section 33B

45. In section 33B of the principal Act,—

(a) the words "before a Magistrate" shall be omitted, and

(b) for the words "one hundred", the words "five thousand" shall be substituted.

Amendment of section 33C

46. In section 33C of the principal Act, the words, figures and letter, ", except where punishable under section 23B," shall be omitted.

Substitution of new section for section 34

47. For section 34 of the principal Act, the following section shall be substituted:—

'Inspection of building or premises

34. (1) The Director or the nominated authority may enter and inspect any building or part thereof or any premises at any time between sunrise and sunset where such inspection appears necessary for ascertaining the contravention, if any, of fire prevention and fire safety measures referred to in section 11C and of the conditions referred to in section 13:

Provided that the Director or the nominated authority may enter into and inspect any such building or part thereof or premises at any time if it appears to him or it to be expedient and necessary to do so in order to ensure safety of life and property.

(2) The Director or the nominated authority shall be provided with all possible assistance by the owner or occupier, as the case may be, of such building or part thereof or premises for carrying out the inspection under sub-section (1).

(3) When any such building or part thereof or premises used as a human dwelling is entered under sub-section (1), due regard shall be paid to the social and religious sentiments of the occupiers; and before any flat or part of such building or premises in the actual occupancy of any woman who, according to the custom, does not appear

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Sections 48-51.)

in public, is entered under sub-section (1), notice shall be given to her that she is at liberty to withdraw, and every reasonable facility shall be afforded to her for withdrawing

(4) Where the inspection is carried out by the nominated authority under the foregoing provisions of this section, it shall give a report of any such inspection to the Director or the superior nominated authority

Explanation—For the purposes of this section, "flat" shall have the meaning assigned to it in the West Bengal (Regulation of Promotion of Construction and Transfer by Promotions) Act, 1993.'. West Ben Act XX of 1993

Substitution of new section for section 35

48. For section 35 of the principal Act, the following section shall be substituted.—

"Issue of notice to owner or occupier to undertake fire prevention and fire safety measures

35 The Director or the superior nominated authority as the case may be, shall, after completion of the inspection of the building or part thereof or the premises referred to in section 34, record his or its views on the deviations from, or contravention of, the requirements with regard to the fire prevention and fire safety measures or the inadequacy of, or non-compliance with such measures provided or to be provided therein with reference to the structure of the building or the premises or the nature of activities carried on in such building or part thereof or premises and issue a notice to the owner or occupier of such building or part thereof or premises directing him to undertake such measures, and within such time, as may be specified in the notice Where the owner is not available, the occupier shall undertake such measures in the interest of public safety, notwithstanding anything contained in any other law for the time being in force ".

Substitution of new section for section 36

49. For section 36 of the principal Act, the following section shall be substituted:—

Compliance with notice issued under section 35

36 (1) The Director may, in the event of non-compliance with any notice issued under section 35, take such steps as may be necessary for the compliance with such notice.

(2) All expenses incurred by the Director in relation to any steps taken by him under sub-section (1) shall be payable, on demand, by the owner or occupier on whom such notice is served, and shall, if not paid within 30 days of such demand, be recoverable under the Bengal Public Demands Recovery Act, 1913." Ben Act III of 1913

Substitution of new section for section 37

50. For section 37 of the principal Act, the following section shall be substituted:—

'Recovery of fees

37 (1) The fees payable under this Act, if not paid within the time provided in this Act or the rules made thereunder, shall be recoverable as a public demand under the Bengal Public Demands Recovery Act, 1913 Ben Act III of 1913

(2) The State Government may remit payment of fees in such cases as may be recommended by the Collector ".

Substitution of new section for section 37A

51. For section 37A of the principal Act, the following section shall be substituted:—

"Director or Superior nominated authority to seal building

37A. (1) If the Director or the superior nominated authority is satisfied that owing to inadequacy of fire prevention and fire safety measures, the condition of any high-risk building or part thereof is in imminent danger to person or property, then, notwithstanding anything contained in this Act or in any other law for the time being in force, he or it shall, by order to be recorded in writing, require the persons in possession or occupation of such building or part thereof to remove themselves forthwith from such building or part thereof.

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Sections 52, 53.)

(2) If an order made by the Director or the superior nominated authority under sub-section (1) is not complied with, the Director or the superior nominated authority, as the case may be, may direct any police officer having jurisdiction to remove such persons from such building or part thereof and such police officer shall comply with such direction.

(3) After the removal of the persons under sub-section (1) or sub-section (2), as the case may be, the Director or the superior nominated authority, as the case may be, shall seal such building or part thereof.

(4) No person shall remove such seal except under a written order made by the Director or the superior nominated authority suo motu or on application by the owner or occupier.

(5) Any person who contravenes the provisions of sub-section (4) shall be punishable with imprisonment for a term of three years which may extend to five years or with fine of twenty thousand rupees which may extend to five lakh rupees or with both.".

Substitution of new section for section 38

52. For section 38 of the principal Act, the following section shall be substituted:—

"Appeal against order under section 35, section 36 or section 37

38. (1) Any person aggrieved by an order under section 35, section 36 or section 37, may, within thirty days of the service of the order, prefer an appeal to such authority as may be prescribed for the purpose.

(2) The manner in which an appeal shall be filed and the manner of deciding the appeal shall be such as may be prescribed.".

Insertion of new sections 38A, 38B, 38C, 38D, and 38E.

53. After section 38 of the principal Act, the following sections shall be inserted:—

"Court not to entertain any suit, application or other proceeding.

38A. No Court shall entertain any suit, application or other proceeding in respect of any notice under section 35 or any step taken under section 36 or any refusal to permit removal of seal under sub-section (4) of section 37, and no such notice or step or refusal shall be called in question otherwise than by preferring an appeal as provided in this Act.

Compounding of offences

38B. (1) The District Magistrate within whose jurisdiction a local area lies, or such other officer as may be prescribed for a local area, may, by general or special order, either before or after the institution of proceedings in this behalf, compound any offence punishable by or under this Act or the rules made thereunder or withdraw from such proceedings.

(2) When an offence has been compounded under sub-section (1), the offender, if in custody, shall be discharged, and no further proceedings shall be taken against him in respect of the offence so compounded.

Court not to take cognizance of offence except on complaint

38C. Save in the case of cognizable offences under this Act, no court shall take cognizance of an offence under this Act or the rules made thereunder except on the complaint of, or upon the information received from, the Director or any other officer authorised by him in this behalf.

Protection of action taken in good faith

38D. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

Officers and other employees to be public servants.

38E. Every officer and every other employee acting under the provisions of this Act or the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.". 45 of 1860

The West Bengal Fire Services (Amendment) Ordinance, 1996.

(Sections 54, 55.)

Amendment of section 40

54. In section 40 of the principal Act,—

(a) in sub-section (1), the words "in the *Official Gazette*" shall be omitted;

(b) in sub-section (2),—

(i) clauses (a) and (aaa) shall be omitted;

(ii) for clause (b), the following clause shall be substituted:—

"(b) the annual fee referred to in sub-section (1) of section 18;";

(iii) clause (c) shall be omitted;

(iv) for clause (cc), the following clause shall be substituted:—

"(cc) the manner of allowing rebate in annual fee under sub-section (2) of section 18;";

(v) clause (d) shall be omitted;

(vi) for clause (f), the following clauses shall be substituted:—

"(f) the minimum standards for fire prevention and fire safety measures,

(g) the qualifications, experience or other matter for granting licence to act as licensed agency under section 11F;

(h) the authority to whom appeal shall be preferred, the manner in which appeal shall be filed, and the manner of deciding appeal, under section 38;

(i) any other matter which may be, or is required to be, provided by rules.".

Insertion of new sections 41 and 42

55. After section 40 of the principal Act, the following sections shall be inserted:—

"Regulation to be approved by State Government

41. No regulation made by the Director under sub-section (3) of section 3 shall be valid unless it is approved by the State Government.

Act to have overriding effect

42. (1) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

(2) Subject to the provisions of sub-section (1), the provisions of this Act shall be in addition to, and, save as otherwise expressly provided in this Act, shall not be in derogation of, the provisions of any relevant municipal law in force in any area in which this Act comes into force.".

K. V. RAGHUNATHA REDDY,
Governor of West Bengal.

The 2nd January, 1996.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No. WB(Part-IV)/96/SAR-3

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PAUSA 15] FRIDAY, JANUARY 5, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 47-L—5th January, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 1 of 1996

THE WEST BENGAL APARTMENT OWNERSHIP (AMENDMENT) BILL, 1996.

A
BILL

to amend the West Bengal Apartment Ownership Act, 1972.

WHEREAS it is expedient to amend the West Bengal Apartment Ownership Act, 1972, for the purposes and in the manner hereinafter appearing; West Ben Act XVI of 1972

It is hereby enacted in the Forty-sixth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Apartment Ownership (Amendment) Act, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

The West Bengal Apartment Ownership (Amendment) Bill, 1996.

(Clauses 2-7.)

Amendment of section 3 of West Ben Act XVI of 1972

2. In clause (a) of section 3 of the West Bengal Apartment Ownership Act, 1972 (hereinafter referred to as the principal Act),—

(1) for the words "residential unit;", the words "residential unit, and includes a flat." shall be substituted, and

(2) the following *Explanation* shall be added at the end:—

'*Explanation.*—"Flat" shall mean a separate residential unit, whether self-contained or not, used or intended to be used for any of the purposes referred to in sub-clauses (a) to (i) of clause (2) of section 390 of the Calcutta Municipal Corporation Act, 1980;'.

West Ben Act LIX of 1980

Amendment of section 5

3. In sub-section (2) of section 5 of the principal Act, for the words "without the consent of all the apartment owners expressed", the words "without the written consent of all the apartment owners. Addition or alteration, if any, is to be expressed subsequently" shall be substituted.

Amendment of section 7.

4. In section 7 of the principal Act, the words "or shall add any material structure or excavate any additional basement or cellar" shall be omitted.

Amendment of section 10

5. In sub-section (1) of section 10 of the principal Act,—

(1) in clause (d), for the words "approximate area,", the words "actual built-up area," shall be substituted;

(2) in clause (g), the words "for all purposes, including voting" shall be omitted.

Amendment of section 16A

6. In sub-section (1) of section 16A of the principal Act, for the words "he shall,", the words, figures and letter "or if such owner stands in the way of submitting the property to the provisions of this Act and does not furnish the particulars or documents as required for execution of Declaration in accordance with the provisions of section 10A and the rules made under this Act, he shall," shall be inserted.

Insertion of new section 16B

7. After section 16A of the principal Act, the following section shall be inserted:—

"Control and supersession

16B. (1) If the Association of Apartment Owners having right to be exercised by the Manager or the Board of Managers fails to perform its functions under this Act or the bye-laws made thereunder, the Competent Authority may give to it such directions as that Authority considers fit.

(2) If the Competent Authority is of the opinion that the function of the Manager or the Board of Managers is detrimental to the interest of the Association of Apartment Owners or of the apartment owners or is against the public interest, the Competent Authority may give a notice to the Manager or the Board of Managers to show cause why he should not be removed or, as the case may be, it should not be superseded. If the reply of the Manager or the Board of Managers is not considered satisfactory, the Competent Authority may by order remove the Manager or supersede the Board of Managers, as the case may be, and appoint any member from amongst the members of the concerned Association of Apartment Owners or any employee of the State Government or any other person as administrator to perform the functions of the Manager or the Board of Managers, as the case may be, for a period not exceeding six months:

Provided that the Competent Authority may, if it considers necessary so to do, by order extend the period of removal of the Manager or supersession of the Board of Managers, as the case may be, for a further period, not exceeding six months at a time; so, however, that the aggregate period of removal or supersession, as the case may be, shall not exceed three years.".

STATEMENT OF OBJECTS AND REASONS.

The West Bengal Apartment Ownership Act, 1972 (West Ben. Act XVI of 1972), came into force on the 7th June, 1973. Subsequently the Act was amended from time to time, the last amendment having been made in the year 1992, making the application of the Act compulsory to every building which is used, or is proposed to be used, mainly for residential purposes. The West Bengal Building (Regulation of Promotion of Construction and Transfer by Promoters) Act, 1993 (West Ben. Act XX of 1993), came into force on the 9th August, 1995. The Ministry of Urban Development, Government of India, also sent to the State Government a model ownership Bill for enactment in this State with appropriate changes where necessary. It has now become necessary to keep parity with the provisions of the West Bengal Building (Regulation of Promotion of Construction and Transfer by Promoters) Act, 1993 (West Ben. Act XX of 1993), and to fall in line with the model Bill of the Government of India.

2. At present, the benefits of the West Bengal Apartment Ownership Act, 1972 (West Ben. Act XVI of 1972), do not extend to the owners of the building having both commercial and residential units for the reason that the existing provisions of the said Act do not entitle them to come under the purview thereof; practically they have been debarred from availing themselves of the benefits of the said Act. It is, therefore, necessary to bring them within the fold of the said Act. Further, it is necessary to remove some anomalies and discrepancies in the said Act by way of inclusion of some provisions in the said Act or exclusion of some provisions from the said Act in pursuance of the model Bill as aforesaid so as to cater to the interest of the apartment owners whose property had earlier been submitted to the said Act. Some other minor amendments are also necessary to remove the difficulties in the administration of the said Act.

3. The Bill has been framed with the above objects in view.

4. There is no financial implication involved in the Bill.

CALCUTTA,
The 1st January, 1996.

GAUTAM DEB,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No. WB(Part-III)/96/SAR-1

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PAUSA 20] WEDNESDAY, JANUARY 10, 1996 [SAKA 1917

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 77-L.—10th January, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XXI of 1995

THE WEST BENGAL STATE COUNCIL OF TECHNICAL EDUCATION ACT, 1995.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 10th January, 1996.]

An Act to provide for the establishment of an autonomous State Council of Technical Education in West Bengal.

WHEREAS there are guidelines laid down by the All-India Council for Technical Education and the Expert Committee under the Chairmanship of Dr. S. K. Sen, the then Vice-Chancellor, Jadavpur University, for the setting up of an autonomous State Council for Technical Education as a statutory body;

AND WHEREAS it is expedient to establish a State Council of Technical Education in West Bengal, keeping in view the guidelines laid down by the Expert Committee as aforesaid in order to re-organise the present set-up of the State Council for Engineering and Technical Education, West Bengal, so as to develop the standard of technical education in West Bengal and to make that standard at par with the standard prevailing at all-India level, to implement the programme of strengthening the technical education, and to monitor the performance of affiliated polytechnics;

The West Bengal State Council of Technical Education Act, 1995.

(Chapter I.—Preliminary.—Sections 1, 2.—Chapter II.—The Council.—Section 3.)

It is hereby enacted in the Forty-Sixth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

CHAPTER I

Preliminary.

Short title and commencement

1. (1) This Act may be called the West Bengal State Council of Technical Education Act, 1995.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Definitions

2. In this Act, unless the context otherwise requires,—

(a) "affiliated" in relation to a polytechnic or a technical institution means affiliated to the Council under this Act;

(b) "Chairman" means the Chairman of the Council;

(c) "Council" means the West Bengal State Council of Technical Education established under this Act;

(d) "Fund" means the West Bengal State Council of Technical Education Fund referred to in sub-section (1) of section 20;

(e) "member"means a member of the Council, and includes the Chairman and the Vice-Chairman;

(f) "notification" means a notification published in the *Official Gazette;*

(g) "polytechnic" means an institution in which instruction is provided for courses of study in technical education leading to a diploma of the Council;

(h) "prescribed" means prescribed by rules made under this Act;

(i) "recognised" in relation to an affiliated polytechnic or technical institution means recognised by the All-India Council for Technical Education;

(j) "regulation" means a regulation made under this Act;

(k) "rule" means a rule made by the State Government under this Act;

(l) "technical education" means a systematic course of instruction, research and training in the subject of engineering, technology, architecture, management, pharmacy, applied arts and crafts and such other subject as the State Government, in consultation with the Council, may, by notification, declare;

(m) "technical institution" means an educational institution in which instruction is provided for courses of study in engineering, technology, or management leading to any diploma or post-diploma certificate, and includes such other institutions as the State Government, in consultation with the Council, may, by notification, declare as technical institutions.

CHAPTER II

The Council.

Establishment and incorporation of Council.

3. (1) The State Government shall, as soon as may be after this Act comes into force, establish a Council to be called the West Bengal State Council of Technical Education.

(2) The Council shall be a body corporate with perpetual succession and a common seal, shall be entitled to acquire, hold and dispose of property, to enter into contracts and to do all other things necessary for the purposes of this Act, and shall by its name sue and be sued.

(3) The head office of the Council shall be located at Calcutta and the Council may, with the prior approval of the State Government, establish offices at any other places in West Bengal.

The West Bengal State Council of Technical Education Act, 1995.

(Chapter II.—The Council.—Section 4.)

Composition of Council

4. The Council shall consist of the following members:—

(a) *Chairman and Vice-Chairman*

(i) the Minister-in-charge of Department of Technical Education and Training, Government of West Bengal, who shall be the *ex officio* Chairman;

(ii) a Vice-Chairman to be appointed by the State Government.

(b) ex officio *members*

(i) the Regional Officer, Ministry of Human Resource Development, Government of India;

(ii) the Secretary, Department of Technical Education and Training, Government of West Bengal, or his nominee not below the rank of Joint Secretary to the Government of West Bengal;

(iii) the Secretary, Finance Department, Government of West Bengal, or his nominee not below the rank of Joint Secretary to the Government of West Bengal;

(iv) the Secretary, Department of Science and Technology and Non-conventional Energy Sources, Government of West Bengal, or his nominee not below the rank of Joint Secretary to the Government of West Bengal;

(v) the Director, Bengal Engineering College (Deemed University), Shibpur, Howrah;

(vi) the Director of Technical Education, Government of West Bengal;

(vii) the Director of School Education, Government of West Bengal;

(viii) the Principal, Technical Teachers' Training Institute;

(ix) the Secretary of the Council, who shall be the Member-Secretary;

(c) *other members*

(i) two members of whom—

(1) one shall be a Professor of the Faculty Council for Post-graduate Studies in Engineering and Technology of the University of Calcutta, nominated by the Vice-Chancellor of that University, and

(2) one shall be a Professor of the Faculty Council for Post-graduate and Undergraduate Studies in Engineering and Technology of the Jadavpur University, nominated by the Vice-Chancellor of that University;

(ii) two persons to be nominated by the State Government from amongst the technical experts connected with any industry;

(iii) six whole-time permanent members of the staff of polytechnics of whom—

(1) one shall be a Principal,

(2) three shall be Lecturers in Engineering,

(3) one shall be from the Lecturers in Science and Humanities, and

(4) one shall be teaching staff other than Lecturer in Engineering and Lecturer in Science and Humanities as mentioned in items (2) and (3),

to be nominated in such manner as the State Government may determine;

(iv) one representative of the All-India Council of Technical Education to be nominated by that Council;

(iva) two representatives of the students of polytechnics to be nominated by the State Government;

(v) one representative of the Institute of Engineers India;

(vi) one representative of the Indian Society for Technical Education;

(vii) one representative of the Pharmacy Council of India;

(viii) one representative of the Confederation of Indian Industries (Eastern Region);

(ix) two members of the West Bengal Legislative Assembly nominated by the State Government.

The West Bengal State Council of Technical Education Act, 1995.

(Chapter II.—The Council.—Sections 5-8.)

Publication of names of nominated or appointed members of Council.

5. The name of every person nominated or appointed under section 4 as a member of the Council shall be published in the *Official Gazette* as soon as may be after the nomination or appointment, as the case may be.

Term of office of members of Council.

6. (1) Subject to the provisions of this Act, a nominated or appointed member of the Council shall hold office for a term of five years from the date on which his name is published under section 5 and may, on the expiry of such term, be re-nominated or re-appointed.

(2) Notwithstanding the expiry of the term of five years specified in sub-section (1), a nominated or appointed member of the Council shall continue to hold office until the vacancy caused by the expiry of the said term has been filled up in accordance with the provisions of this Act.

Casual vacancy.

7. If any member dies or resigns his office or ceases to be a member for any other reason, the vacancy in the office of the member shall be filled up by a fresh nomination or appointment under section 4, and the member so nominated or appointed shall hold office for the unexpired portion of the term of office of the member in whose seat he is so nominated or appointed.

Terms and conditions of service of Vice-Chairman and other members.

8. (1) The Vice-Chairman and other members (other than *ex officio* members) shall be appointed by the State Government:

Provided that a person who has not attained the age of sixty-five years shall be eligible to be appointed as Vice-Chairman:

Provided further that it shall be competent for the State Government to make any appointment under this sub-section for a term of less than five years if it considers necessary so to do:

Provided also that the Vice-Chairman or any other member (other than an *ex officio* member) who incurs any disqualification under the rules made in this behalf shall cease to hold the office of Vice-Chairman or member.

(2) The Vice-Chairman or any other member (other than an *ex officio* member) may resign his office by writing under his hand addressed to the State Government, and every such resignation shall take effect from the date on which it is accepted by the State Government.

(3) The Vice-Chairman or any other member (other than an *ex officio* member) shall not be removed from his office except by an order of the State Government on the ground of wilful omission or refusal to carry out the provisions of this Act or abuse of the powers vested on him and after such inquiry as may be ordered by the State Government when such Vice-Chairman or other member, as the case may be, shall be given an opportunity of making his representation against such removal.

(4) When a person is qualified to be a member of the Council by virtue of his representing a particular institution or interest, he shall cease to be a member of the Council when he ceases to represent such institution or interest.

(5) If any casual vacancy occurs in the office of the Vice-Chairman or any other member (other than an *ex officio* member), whether by reason of his death, resignation or inability to discharge his functions owing to illness or other incapacity or for any other reason, such vacancy shall be filled by the State Government as soon as may be in the manner provided in sub-section (1). Such Vice-Chairman or other nominated or appointed member shall hold office only for the remainder of the term of office for which the person in whose seat he is so nominated or appointed would have remained as the Vice-Chairman or nominated or appointed member, as the case may be.

(6) The office of the Vice-Chairman and the Member-Secretary shall be whole-time and salaried, and the other terms and conditions of service of the Vice-Chairman and other members shall, subject to the provisions of this sub-section, be such as may be prescribed.

(7) The Chairman, the Vice-Chairman and the Member-Secretary shall exercise such powers and perform such functions as may be prescribed.

The West Bengal State Council of Technical Education Act, 1995.

(Chapter II.—The Council.—Sections 9-14.—Chapter III.—Powers and functions of the Council.—Section 15.)

Meetings of Council

9. The Council shall meet at such times and places, and shall observe such rules of procedure in regard to the transaction of business at its meetings, as may be provided by regulations made under this Act.

Vacancies amongst members or defect in constitution not to invalidate acts or proceedings of Council.

10. No act or proceedings of the Council shall be deemed to be invalid by reason of any vacancy in, or any defect in the constitution of, the Council.

Temporary association of persons with Council for particular purpose.

11. The Council may associate with it in such manner and for such purpose as may be prescribed any person whose assistance or advice is required for carrying out its work. A person associated with the Council for such purpose shall have the right to take part in the discussions relevant to such purpose but shall not have the right to vote at a meeting of the Council and shall not be a member for any other purpose. The Council may associate with it members of medical, engineering and agricultural universities and such other expert bodies as the State Government may, by order, specify with a view to developing co-ordination among the universities.

Staff of Council.

12. (1) The Council shall have a Secretary who shall be appointed by the State Government.

(2) The Council may appoint from time to time officers (other than Secretary) and other employees with the previous approval of the State Government and in accordance with such guidelines as may be prescribed.

(3) The classification and methods of recruitment, conditions of service, pay and allowances, disciplinary conduct and functions and responsibilities of the officers and other employees referred to in sub-section (2) shall be such as may be provided by regulations.

(4) Subject to the general control and supervision of the Vice-Chairman, the Secretary shall be the principal administrative officer of the Council. He shall be entitled to attend and speak at any meeting of the Council and shall also be entitled to vote.

Authentication of orders and other instruments of Council.

13. All orders and decisions of the Council shall be authenticated by the signature of the Chairman or any other member authorised by the Council in this behalf, and all other instruments issued by the Council shall be authenticated by the signature of the Secretary or any other officer of the Council authorised in the like manner in this behalf.

Travelling allowance.

14. Such members of the Council or of any committee, sub-committee or board constituted under this Act as are not in the service of the State Government shall, in respect of expenses incurred by them in attending meetings of the Council or of any such committee, sub-committee or board or in exercising any powers or performing any duties conferred or imposed upon them by or under this Act, be paid by the Council such allowances, and at such rates, as may be prescribed.

CHAPTER III

Powers and functions of the Council.

Powers and functions of Council.

15. (1) Subject to the provisions of this Act, the Council shall perform the following functions:—

(i) to undertake survey in various fields of technical education, collect data on all related matters and make forecast of required growth and development in technical education;

(ii) to co-ordinate development of technical education in West Bengal at all levels;

The West Bengal State Council of Technical Education Act, 1995.

(Chapter III.—Powers and functions of the Council.—Section 15.)

(iii) to promote innovation, research and development in established and new technologies, and generation, adoption and adaptation of new technologies to meet development requirements for overall improvement of educational processes;

(iv) to formulate schemes for promoting technical education for women, handicapped and weaker sections of the society;

(v) to promote an effective link between technical education system and other relevant systems including research and development organisations, industry and community;

(vi) to evolve suitable performance appraisal systems for technical institutions imparting technical education, incorporating norms and mechanisms for enforcing accountability;

(vii) to formulate schemes for initial and in-service training of teachers and identify institutions or centres, and set up new centres for staff development programmes including continuing education of teachers;

(viii) to lay down norms and standards for courses, curricula, physical and instructional facilities, staff pattern, staff qualifications, quality instructions, assessment and examinations;

(ix) to take all necessary steps to prevent commercialisation of technical institutions;

(x) to provide guidelines for admission of students to technical institutions;

(xi) to inspect or cause inspection of any technical institution;

(xii) to formulate proposals for strengthening existing organisations, and to set up new organisations, to ensure effective discharge of the Council's responsibilities;

(xiii) to set up a State Board of Accreditation, to periodically conduct examination of technical institutions on performances on the basis of guidelines, norms and standards specified by the All-India Council of Technical Education and to make necessary recommendation for appropriate action in this regard;

(xiv) to conduct examinations for the promotion of students belonging to recognised polytechnics or institutions from lower to higher classes, and also to conduct final diploma and post-diploma examinations;

(xv) to arrange for the publication of results of examinations and for the grant of certificates and diplomas to students who have satisfactorily completed the course of study in any recognised polytechnic or institution and have passed the examinations conducted for the purpose;

(xvi) to advise the State Government on all matters relating to technical education and training in West Bengal;

(xvii) to institute and award fellowships (including travelling fellowship), scholarships and studentships, and to award prizes and distinction certificates;

(xviii) to exercise disciplinary jurisdiction over the students with regard to any matter pertaining to the conduct of examination for award of certificates or diplomas;

(xix) to co-operate and collaborate, in such manner as it may deem fit, with any body or authority established under any law of the State Legislature or Parliament in promoting general or higher secondary education or education in agriculture, art, commerce or medicine or in any vocational education;

(xx) to administer the Fund;

(xxi) to institute and administer such Provident Fund of the staff of the Council as may be prescribed;

The West Bengal State Council of Technical Education Act, 1995.

(Chapter III.—Powers and functions of the Council.—Section 16.)

(xxii) to make rules and bye-laws relating to conduct, discipline and appeal in respect of the members of the staff of the Council;

(xxiii) to allow transfer of students from one polytechnic to another;

(xxiv) to delegate, by notification, to any recognised polytechnic or institution such of its powers, and on such conditions, as it may think fit;

(xxv) to exercise such other powers, and to perform such other functions, as may be assigned to it by the State Government under this Act for carrying out purposes of this Act;

(xxvi) to provide by regulations, after considering the recommendations of the examination committee, if any, the rates of remuneration to be paid to the paper-setters, moderators, tabulators, examiners, invigilators, supervisors and others employed in connection with the examinations instituted by the Council, and the fees to be paid by the candidates for such examinations;

(xxvii) to grant or refuse permission to candidates to appear at examinations instituted by the Council and to withdraw such permission, if it thinks fit, in accordance with such regulations as may be made in this behalf;

(xxviii) to provide by regulations the procedure for filing and disposal of appeals by the members of the teaching and non-teaching staff against the decision of the managing committee of recognised polytechnics or institutions.

(2) Subject to the provisions of sub-section (1), the Council shall have the power to make regulations in respect of any matter for the proper exercise of its powers under this Act.

(3) No regulation shall be valid unless it is approved by the State Government, and the State Government may, while according such approval, make such additions, alterations or modifications therein as it thinks fit:

Provided that before making such additions, alterations or modifications, the State Government shall give the Council an opportunity to express its views thereon within such period, not exceeding one month, as may be specified by the State Government.

(4) All regulations approved by the State Government shall be published in the *Official Gazette.*

Powers and functions of Vice-Chairman.

16. (1) The Vice-Chairman shall be responsible for carrying out and giving effect to the decisions of the Council and of any committee or body constituted by it under this Act.

(2) The Chairman may, in any emergency, exercise any of the powers of the Council 'provided, however, that he shall not act contrary to any decisions of the Council and shall report to the Council the action taken by him together with the reasons thereof.

(3) The Vice-Chairman shall—

(a) exercise general supervision over the Secretary and the members of the staff appointed by the Council and shall post and transfer the members of the staff;

(b) sanction all claims of travelling allowance; and

(c) take such other action, not inconsistent with any decision of the Council, as he may consider necessary for the proper functioning of the Council under this Act.

The West Bengal State Council of Technical Education Act, 1995.

(Chapter IV.—Committee etc. of the Council.—Sections 17, 18.— Chapter V.— Finance, Accounts and Audit.—Section 19.)

CHAPTER IV

Committee etc. of the Council.

Executive Committee of Council

17. (1) The Council shall constitute a Committee to be called the Executive Committee for performing such functions as may be assigned to it by the Council.

(2) The Vice-Chairman and the Member-Secretary of the Council shall respectively function as the Chairman and the Member-Secretary of the Executive Committee.

(3) The Vice-Chairman shall preside at the meetings of the Executive Committee and shall be entitled to vote on any matter, and shall have a second or casting vote in every case of equality of votes.

(4) The Executive Committee shall meet at such time and place and shall observe such rules of procedures in regard to the transactions of business at its meetings (including the quorum of such meeting) as the Council may provide by regulations.

Board of Studies

18. (1) The Council shall constitute—

(a) a Board of Studies for all the branches of engineering, technology, safety and such other disciplines as the Council may consider necessary;

(b) a Board of Examinations to look after, and manage, all matters relating to examinations in different branches of engineering and technology and in such other disciplines as the Council may require, and shall arrange for publication of results of such examinations.

(2) The Council may, if it considers necessary, establish such other Board of Studies and committees as it may think fit.

(3) The Board of Studies shall advise the Council on academic matters, including norms, standards, curricula, facilities, and structure of courses of study, falling in its area of concern.

(4) The constitution, powers, functions, and area of concern of the Boards of Studies shall be such as the Council may provide by regulations.

(5) The Boards of Studies may be composed, wholly or in part, of the members of the Council.

CHAPTER V

Finance, Accounts and Audit.

Budget

19. (1) The Council shall prepare in such form and at such time each year as may be prescribed a budget estimate in respect of the financial year next following showing the estimated receipts and expenditure, and the copies thereof shall be forwarded to the State Government after its confirmation by the Council at its annual meeting.

(2) (a) The State Government shall, within two months of the receipt of the budget estimate, either accord its approval to the same or return it to the Council with such comments and suggestions as it deems necessary, if, in its opinion, such budget estimate—

(i) is not reasonably accurate with reference to ascertainable facts or shows a deficit in the closing balance;

(ii) includes new items of recurring expenditure which are likely to impose upon the Council in the future financial liabilities which the Council is not likely to be able to meet from its income; or

(iii) includes provisions for expenditure which are not in accordance with the provisions of this Act.

The West Bengal State Council of Technical Education Act, 1995

(Chapter V.—Finance, Accounts and Audit.—Sections 20, 21.)

(b) If the budget estimate is returned under clause (a), the Council shall consider the comments and suggestions made by the State Government and may, if it thinks fit, revise the said budget estimate The Council shall, then, either resubmit the budget estimate as so revised to the State Government or, if it does not think fit to revise the budget estimate, resubmit it in its original form to the State Government within one month of receiving it together with its replies on the comments and suggestions made by the State Government

(c) If the State Government does not approve of the budget estimate as revised by the Council or if the budget estimate is returned by the Council without revision, the State Government may amend the budget estimate by making—

(i) such modifications as are, in its opinion, necessary to render the budget estimate reasonably accurate with reference to ascertainable facts or to balance the receipts and expenditure,

(ii) additions, alternations or modifications in any provision relating to new items of expenditure of a recurring nature,

(iii) any alternation or modification in any provision for expenditure which, in its opinion, is not in accordance with the provisions of this Act,

and shall, then, forward the budget estimate as so amended to the Council.

(3) If the State Government does not accord its approval to the budget estimate under clause (a) of sub-section (2) within two months of the receipt thereof, or if the State Government does not communicate its approval of the budget estimate to the Council under clause (c) of sub-section (2) within the 31st March of the financial year immediately preceding the financial year to which the budget estimate relates, the budget estimate as forwarded to the State Government by the Council shall be deemed to have been approved by the State Government and shall be the budget estimate of the Council for the financial year to which it relates

Payment to Council by State Government

20. The State Government may, after considering the budget estimate, the accounts of the Council and such other reports as it may call for, make such annual or periodical grants to the Council as it may think fit:

Provided that on the establishment of the Council and before the first budget estimate is forwarded to the State Government, that Government may, after considering such report as it may call for from the Council, make such initial grant to the Council as may be considered necessary.

Council Fund

21. (1) The Council shall have a Fund to be called the West Bengal State Council of Technical Education Fund to which shall be credited—

(a) all sums which may be paid by the State Government under section 19;

(b) all fees realised under any of the provisions of this Act;

(c) all sums representing income from endowments or from property owned or managed by the Council; and

(d) all other sums received by or on behalf of the Council from any other source whatsoever.

The West Bengal State Council of Technical Education Act, 1995.

(Chapter V.—Finance, Accounts and Audit.—Sections 22-26.)

(2) The Fund shall vest in the Council and shall be under its control and shall be held by it in trust for the purposes of this Act.

(3) All moneys payable to the credit of the Fund shall forthwith be paid into the Reserve Bank of India, or the State Bank of India or any branch thereof, or the United Bank of India or any branch thereof, to the credit of the Fund, and all cheques drawn on the Fund shall be signed by the Vice-Chairman or by such other person as he may authorise in writing in this behalf.

Application of Fund.

22. No expenditure shall be incurred from the Fund except for the purposes of this Act and unless such expenditure is provided for in the budget estimate as approved under this Act or may be met by reappropriation sanctioned in the prescribed manner.

Annual report

23. The Council shall prepare once in every year, in such form and at such time as may be prescribed, an annual report giving a true and full account of its activities during the previous year, and copies thereof shall be forwarded to the State Government.

Accounts.

24. The Council shall keep an account of all its receipts and expenditure in the manner prescribed.

Audit.

25. (1) The accounts of the Council shall, in such manner as may be prescribed, be examined and audited annually by an auditor or auditors appointed by the State Government.

(2) For the purpose of examination and audit under sub-section (1), an auditor appointed under that sub-section may—

(a) require in writing the production before him of any document relating to the Council or the assets thereof which he considers to be necessary for the proper conduct of the audit;

(b) require in writing the personal appearance before him of any person accountable for, or having the custody or control of, any such document to answer any question relating thereto; and

(c) require any person so appearing before him to submit a statement in writing in respect of any such document.

(3) It shall be the duty of the Council and of every member thereof, and of the Secretary and the members of the staff in the service of the Council, to afford to the auditor every facility for the examination and audit of the accounts of the Council and to comply with any requisition made by the auditor under sub-section (2) or with the requirement of any rule made in this behalf.

(4) Any person who wilfully neglects or refuse to comply with a requisition made under sub-section (2) or with the requirement of any rule made in this behalf shall, on conviction, be punishable with fine which may extend to one hundred rupees.

(5) No complaint in respect of any offence punishable under sub-section (4) shall be made except with the previous sanction of the State Government.

(6) No Magistrate other than a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try an offence punishable under sub-section (4).

Audit report.

26. (1) Not more than fourteen days after completion of the audit, the auditor shall submit to the State Government a report on the accounts audited, and shall send a copy thereof to the Council which shall forward it to the State Government together with its observations thereon.

(2) The State Government may take such action on the audit report as it thinks fit.

The West Bengal State Council of Technical Education Act, 1995.

(Chapter VI.—Supplementary Provisions.—Sections 27-32.)

CHAPTER VI

Supplementary Provisions.

Council to furnish information.

27. The Council shall furnish to the State Government such reports, returns and statements as may be prescribed, and such further information on any matter relating to the Council as the State Government may require.

Power of State Government to suspend proceedings.

28. The State Government may, by order in writing, specifying the reasons thereof, suspend the execution of any resolution or order of the Council or any committee constituted under this Act and prohibit the doing of any act which purports to be done or is intended to be done under this Act, if the State Government is of opinion that such resolution, order or act is in excess of the powers conferred by or under this Act upon the Council or the committee, as the case may be.

Certain persons to be deemed to be public servants.

29. The members of the Council and of every committee constituted under this Act, persons in the service of the Council and any person appointed under this Act to audit the accounts of the Council shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

Indemnity.

30. No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act.

Transitory provisions.

31. (1) The Chairman shall make the first regulations for the purposes of this Act.

(2) The first regulations shall remain in force for a period of one year from the date of their commencement or until new regulations are made by the Council under the provisions of this Act, whichever is earlier.

Power to make rules.

32. (1) The State Government may, after previous publication, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the acquisition, possession and disposal of property by the Council, the conditions of such acquisition, possession and disposal, and performance by the Council of the functions referred to in sub-section (2) of section 3;

(b) the composition, powers and functions of Governing Bodies of polytechnics and technical institutions;

(c) the method of recruitment, the terms and conditions of service including the scales of pay and the rules of discipline relating to the Secretary of the Council;

(d) the rates at which the Council shall pay travelling allowance to the persons referred to in section 13;

(e) the Provident Fund referred to in clause (xxi) of sub-section (1) of section 14;

(f) the form in which the budget estimate of the Council, as referred to in sub-section (1) of section 18, shall be prepared;

(g) the manner in which all payments to and from the Fund shall be made;

(h) the manner of reappropriation under section 21;

(i) the manner and form in which accounts of receipts and expenditure shall be kept under section 23;

(j) the manner in which examination and audit of the accounts of the Council shall be made;

The West Bengal State Council of Technical Education Act, 1995.

(Chapter VI.—Supplementary Provisions.—Sections 33-36.)

(k) the reports, returns and statements to be furnished by the Council under section 26 and the forms of such reports, returns and statements;

(l) any other matter required to be prescribed or to be provided for by rules.

Repeal, saving and validation

33. (1) The resolution No. 3801-Edn., dated the 3rd August, 1949, made by the State Government constituting the Provisional Council for Engineering and Technical Education (hereinafter referred to as the former Council) and all subsequent resolutions reconstituting the former Council are hereby repealed.

(2) Upon such repeal,—

(a) all properties and assets under the control of the former Council and all rights, liabilities and obligations acquired or incurred by the former Council before the commencement of this Act shall vest in the Council in accordance with such order as the State Government may make in this behalf;

(b) all legal proceedings or remedies instituted or enforceable by or against the former Council before the commencement of this Act may be continued or enforced, as the case may be, by or against the Council as established under this Act, or, until the Council is so established, by or against such officer or authority as the State Government may by order specify;

(c) all officers and other persons in the employ of the former Council immediately before the commencement of this Act shall, until other provision is made, continue in the service of the Council;

(d) all recognised polytechnics and technical institutions, if any, shall be deemed to have been recognised under this Act until the expiration of the period of recognition, subject, however, to the power of the Council to withdraw such recognition in accordance with the provisions of this Act; and

(e) all syllabi, courses of studies and text-books in force shall, until other provision is made under this Act, continue to be followed.

Council to be guided by directions of State Government.

34. The Council shall, in exercising its powers and performing its functions under this Act, be guided by such directions as the State Government may, by notification, give from time to time regarding the scope and content of technical education.

Supersession of Council

35. (1) If, in the opinion of the State Government, the Council—

(a) has persistently made default in the performance of its functions under this Act, or

(b) has exceed or abused its powers,

the State Government may, by order published in the *Official Gazette* and stating the reasons therefor, supersede the Council for such period, not exceeding two years, as may be specified in the order, and take such steps as may be necessary to re-establish the Council immediately on the expiry of the period of supersession.

(2) The State Government may, if it considers necessary so to do, by order extend or modify from time to time the period of supersession which shall in no case in aggregate exceed three years.

Consequences of supersession

36. (1) Notwithstanding anything contained in this Act or in any other law for the time being in force, with effect from the date of the order of supersession under section 34,—

(a) all the members of the Council and the committees constituted under this Act shall vacate their offices;

The West Bengal State Council of Technical Education Act, 1995.

(Chapter VI.—Supplementary Provisions.—Sections 37-39.)

(b) all the powers, duties and functions which, under the provisions of this Act or any rule or regulation made thereunder or of any other law for the time being in force, may be exercised or performed by the Council or any of the committees or the Chairman or the Vice-Chairman of the Council, shall be exercised or performed by an Administrator to be appointed by the State Government in this behalf:

Provided that an Administrator appointed under this clause may delegate any of his powers, duties or functions to such person as he may think fit or to such body as may be constituted by him;

(c) the representatives of the Council on every body, statutory or otherwise, shall vacate their respective offices as such representatives, and the Administrator may nominate such person or persons to represent the Council or that body as he may think fit.

(2) The State Government may, by order published in the *Official Gazette*, cancel any order made under section 34 and re-establish the Council.

(3) On the re-establishment of the Council under sub-section (2), the Administrator shall cease to exercise his powers and perform his duties.

(4) The terms and conditions of service of the Administrator shall be such as may be fixed by the State Government by order made in this behalf.

Council to continue as body corporate

37. For the removal of doubts, it is hereby declared that an order of supersession made under section 34 shall not effect or imply in any way the dissolution of the Council as a body corporate.

Re-establishment of Council

38. (1) The State Government shall, by order published in the *Official Gazette*, specify the date on which the Council is re-established in accordance with the provisions of section 4.

(2) The State Government shall, by order published in the *Official Gazette*, specify the dates by which the authorities (other than the State Government) shall nominate members referred to in section 4 If such member or members are not nominated by the specified dates, the State Government shall appoint such member or members from amongst the persons qualified for such nomination.

(3) Until the nomination of members referred to in section 4 is made, the State Government shall appoint such member or members from amongst the persons qualified for nomination under sub-clause (iii) of clause (c) of section 4.

(4) (a) The members appointed under sub-section (2) shall hold office until the nomination of members under section 4 is made.

(b) The members appointed under sub-section (3) shall hold office until the nomination of members referred to in section 4 is made and the names of the members so nominated are published in the *Official Gazette* in this behalf.

Power to remove difficulties

39. If any difficulty arises in giving effect to the provisions of this Act, the State Government may make such order or do such thing, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of publication of this Act in the *Official Gazette*.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IIIA)/96/SAR-2

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PAUSA 21] THURSDAY, JANUARY 11, 1996 [SAKA 1917

PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Ordinance No. II of 1996

THE WEST BENGAL PRIMARY EDUCATION (AMENDMENT) ORDINANCE, 1996.

WHEREAS it is expedient to amend the West Bengal Primary Education Act, 1973, for the purposes and in the manner hereinafter appearing; West Ben Act XLIII of 1973.

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Governor is pleased, in exercise of the power conferred by clause (1) of article 213 of the Constitution of India, to make and promulgate the following Ordinance:—

Short title and commencement

1. (1) This Ordinance may be called the West Bengal Primary Education (Amendment),Ordinance, 1996.

(2) It shall come into force on such date as the State Government may, by nofification in the *Official Gazette*, appoint.

Amendment of section 2 of West Ben. Act XLIII of 1973.

2. In section 2 of the West Bengal Primary Education Act, 1973 (hereinafter referred to as principal Act),—

(1) for clause (xvii), the following clause shall be substituted:—

'(xvii) "primary education" means such elementary education as is imparted through a primary school;';

(2) for clause (xviii), the following clause shall be substituted:—

'(xviii) "primary school" means a school, or a department of a school, set up under this Act for imparting such primary education as the State Government may prescribe, and includes a primary school, or a junior basic school, recognised under this Act and in existence on the date of coming into force of the West Bengal Primary Education (Amendment) Ordinance, 1996;';

The West Bengal Primary Education (Amendment) Ordinance, 1996.

(Sections 3-5.)

(3) in clause (xx), after the words "rules made", the words "or notifications or orders issued, as the case may be, " shall be inserted.

Amendment of section 60

3. In sub-section (1) of section 60 of the principal Act,—

(1) for clause (1), the following clause shall be substituted:—

"(1) (i) to withdraw recognition of any primary school on such ground, and following such procedure, as the State Government may prescribe, and

(ii) to grant financial aid to a recognised primary school, or to withdraw financial aid to a recognised primary school on such ground, and in such manner, as the State Government may prescribe;";

(2) for clause (11), the following clause shall be substituted:—

"(11) to amalgamate two or more primary schools into one primary school, to split a primary school into two or more primary schools, and to shift a primary school from one site to another;".

Amendment of section 105

4. In sub-section (3) of section 105 of the principal Act, for the words "shall be deemed to have been recognised", the words "shall continue to be recognised" shall be substituted.

Amendment of section 106

5. For sub-section (2) of section 106 of the principal Act, the following section shall be substituted:—

"(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters:—

(a) the manner of election of the members of the Board referred to in clauses (c), (d), (e), (f), (g), (h) and (i) of section 4;

(b) the allowances, and the rates of allowances, referred to in section 18;

(c) the form of the budget estimate of the Board referred to in sub-section (1) of section 30;

(d) the manner of keeping an account of the Board referred to in section 34, and the manner of examination and audit of accounts of the Board referred to in sub-section (1) of section 35;

(e) the manner of election of the members of the District Primary School Council referred to in clauses (d), (e), (f), (g) and (h) of sub-section (2) of section 37 and clauses (c), (d), (g), (gg) and (ggg) of sub-section (2) of section 38;

(f) the form of the budget estimate of the Primary School Council referred to in sub-section (1) of section 69;

(g) the manner of reappropriation to be sanctioned under section 71, the manner of keeping an account of a Primary School Council referred to in section 73 and the manner of examination and audit of accounts of a Primary School Council referred to in section 74;

(h) the manner in which the tax referred to in section 77 shall be levied and collected;

(i) the form of the scheme referred to in, and the particulars referred to in clause (g) of section 80;

(j) the time of filing an appeal or referring a dispute, and the procedure to be followed by the Tribunal, referred to in sub-section (1) of section 92;

(k) any other matter which may be, or is required to be, prescribed.".

The West Bengal Primary Education (Amendment) Ordinance, 1996.

(Section 6.)

Insertion of new section 107.

6. After section 106 of the principal Act, the following section shall be inserted:—

"Power of State Government to issue notification or order in place of making rules

106. Notwithstanding anything contained in section 106 or elsewhere in this Act, the State Government may—

(a) issue any notification or order for carrying out any of the purposes of this Act for which that Government does not consider it necessary to make rules, or

(b) issue any notification or order, not inconsistent with the provisions of this Act, in place of making rules under this Act if that Government considers it necessary so to do.".

K. V. RAGHUNATHA REDDY,
Governor of West Bengal.

The 9th January, 1996.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

WB/82 L.A.(II)/Spl./BWN/96
SL. No. 199/LA/

The Calcutta Gazette

Extra ordinary

Published by Authority

[Magh 4] [Friday, 19 January, 1996] [Saka—1917]

Part I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL
LAND AND LAND REFORMS DEPARTMENT
LAND ACQUISITION
NOTICE

Burdwan No.—81 LA/Spl. Dt. 8. 1. 96

Whereas 0·8650 hectares or (2·1375 acres) more or less, of land situate in or near the village of MEMARI described below have been requisitioned under sub-section (1) of the section 3 of the West Bengal Land (Requisition & Acquisition) Act, 1948, by the person authorised under the said section 3 (1) for the purpose of namely for Construction of Automatic Telephone Exchange and sophisticated Modern Telecommunication.

Now, therefore, notice is hereby given that in pursuance of Sub-section (1a) of section 4 of the said Act the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 read with section 5 A of the West Bengal Land (Requisition & Acquisition) Act 1948 (West Bengal Act II of 1948), to all whom it may concern.

Mines of coal, Iron stone, Slate or other minerals lying under the land or any particular portion of the land, excepts only such parts of the mines and minerals as it may be necessary to dig or carry away or use in construction of the work for the purpose of which the land is being acquired are not needed.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Burdwan.

Description of the Land

Mouza—Memari J. L. No.– 152 P. S. - Memari Dist.—Burdwan

R. S. Plot in full :— 4, 5 and 6.

R. S. Plot Nos in part :—

Plot No.	Specific portion of the plot	Area in acre	Area in hectare
3	Entere excepting middle of western side	·7475	0·3025

By order of the Governor,
P. K. Guha Roy
Dy. Secy. Govt. of W. B

Price : .Re. 0·20

Published by C.P.S.W.B. and printed by D. M. Burdwan at Zilla Parishad Press. Burdwan P. O. & Dist. Burdwan—713101.

Registered No. WB/SC-247

WB/84 L.A.(II)/Spl./BWN/96
SL No 198/LA/

The Calcutta Gazette

Extra ordinary

Published by Authority

[Magh 4] [Friday, 19 January, 1996] [Saka—1917]

Part I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL
LAND AND LAND REFORMS DEPARTMENT
LAND ACQUISITION
NOTICE

Burdwan No.—83 LA/Spl./PWD (Road) Dt. 8. 1. 96

Whereas 0·8822 hectare or (2·18 acres) more or less, of land situate in or near the village of SRIKHANDA described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition & Acquisition) Act, 1948, by the person authorised under the said section 3 (1) for the purpose of maintaining supplies and services essential to the life of the community namely, for upgrading the existing "Sabitri Bala Nath" S. H. C. at Srikhanda into a P. H C. in Katwa Development Block.

Now, therefore, notice is hereby given that in pursuance of Sub-section (1a) of section 4 of the said Act the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 read with section 5 A of the West Bengal Land (Requisition & Acquisition) Act 1948 (West Bengal Act II of 1948), to all whom it may concern.

Mines of coal, Iron stone, Slate or other minerals lying under the land or any particular portion of the land excepts only such parts of the mines and minerals as it may be necessary to dig or carry away or use in construction of the work for the purpose of which the land is being acquired are not needed.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Burdwan.

Description of the Land

Mouza—Srikhanda J. L. No. 7 P. S. Katwa Dist.—Burdwan

R. S. Plots in full :— 6169, 6170, 6171, 6172 and 6173.

R. S. Plot Nos in part :—

Plot No.	Specific portion of the plot	Area in acre	Area in hectare
6182	Middle portion	0·77	0 3116
6183	Southern	0·66	0·2670

By order of the Governor,
P. K. Guha Roy
Dy. Secy. Govt. of W. B

Price : Re. 0·20

Published by C.P.S.W.B and printed by D. M. Burdwan at Zilla Parishad Press
Burdwan P. O. & Dist. Burdwan—713101

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-12

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

MAGHA 4] WEDNESDAY, JANUARY 24, 1996 [SAKA 1917

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No 174-F.T. Calcutta, the 24th January, 1996.

NOTIFICATION

WHEREAS the Governor is satisfied that it is necessary so to do in the public interest;

NOW, THEREFORE, in exercise of the power conferred by sub-section (5), of section 8 of the Central Sales Tax Act, 1956 (74 of 1956), the Governor is pleased hereby to make the following amendment in this department notification No. 3100-F.T., dated the 17th November, 1995, (hereinafter referred to as the said notification):—

Amendment

In the said notification, for the words, figures and letters "the 8th day of November, 1995", *substitute* the words, figures and letters "the 3rd day of August, 1995".

By order of the Governor,

N. BARMAN ROY,
Asstt. Secretary to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-7

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

MAGHA 9] MONDAY, JANUARY 29, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 180-L.—29th January, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 2 of 1996

THE WEST BENGAL LAND (REQUISITION AND ACQUISITION) (AMENDMENT) BILL, 1996.

A
BILL

to amend the West Bengal Land (Requisition and Acquisition) Act, 1948, as re-enacted by the West Bengal Land (Requisition and Acquisition) Re-enacting Act, 1977.

WHEREAS it is expedient to amend the West Bengal Land (Requisition and Acquisition) Act, 1948, as re-enacted by the West Bengal Land (Requisition and Acquisition) Re-enacting Act, 1977, for the purposes and in the manner hereinafter appearing;

West Ben Act II of 1948
West Ben Act XV of 1977

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Land (Requisition and Acquisition) (Amendment) Act, 1996.

(2) It shall be deemed to have come into force on the 1st day of April, 1994.

The West Bengal Land (Requisition and Acquisition) (Amendment) Bill, 1996.

(Clauses 2, 3.)

Amendment of section 7 of West Ben Act II of 1948

2. In section 7 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (hereinafter referred to as the principal Act) as re-enacted by the West Bengal Land (Requisition and Acquisition) Re-enacting Act, 1977,—

(1) in sub-section (1),—

(a) for the words, figures and brackets "in sub-section (1) of section 23", the words, figures, letter and brackets "in sub-sections (1), (1A) and (2) of section 23" shall be substituted, and

(b) the second proviso shall be omitted;

(2) in clause (a) of sub-section (2), for the words, figures and brackets "in sub-section (2) of section 23", the words, figures, letter and brackets "in sub-section (1), (1A) and (2) of section 23" shall be substituted.

Insertion of new section 7A

3. After section 7 of the principal Act, the following section shall be inserted:—

"Award by Collector.

7A. The Collector shall make an award under sub-section (2) of section 7 within a period of three years from the date of publication of the notice in the *Official Gazette* under sub-section (1a) of section 4 (hereinafter referred to as the said notice), and if such award is not made within the period as aforesaid, the said notice shall lapse:

Provided that in a case where the said notice has been published more than two years before the commencement of the West Bengal Land (Requisition and Acquisition) (Amendment) Act, 1994, the award shall be made within a period of one year from the date of commencement of that Act.

West Ben. Act XIV of 1994.

Explanation.—In computing the period of three years or one year, as the case may be, under this section, the period during which any action or proceeding to be taken in pursuance of the said notice is stayed by an order of a Court having jurisdiction, shall be excluded.".

STATEMENT OF OBJECTS AND REASONS.

While conveying assent of the President of India to the West Bengal Land (Requisition and Acquisition) (Amendment) Bill, 1994, which was passed by the Assembly on the 23rd February, 1994, the Government of India insisted that provision be made in the West Bengal Land (Requisition and Acquisition) Act, 1948, for payment of compensation for acquisition of land at market rate similar to the provision for payment of compensation at market rate for acquisition of land under the Land Acquisition Act, 1894. The State Government had given an assurance to the Government of India that an amending law would be enacted soon to ensure payment of compensation for acquisition of land under the West Bengal Land (Requisition and Acquisition) Act, 1948, at market rate as suggested by the Government of India.

2. It is now necessary to give effect to the suggestion of the Government of India as agreed to by the State Government.

3. The Bill has been framed with the above object in view.

CALCUTTA,
The 22nd January, 1996.

BENOY KRISHNA CHOWDHURY,
Member-in-charge.

The West Bengal Land (Requisition and Acquisition) (Amendment) Bill, 1996.

FINANCIAL MEMORANDUM.

The Bill involves some financial implication on account of the proposed amendment in respect of payment of compensation for land acquisition. The financial implication is that an amount at the rate of 12% is to be paid on the market value of land. Secondly, some of the notices under sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948, will have to be substituted by fresh notices. As the compensation payable depends upon the market value on the date of publication of the notice as aforesaid and as the price of land is generally rising everywhere, the amount of compensation payable will also increase. As the number of cases where calculation of fresh market value will be necessary is not known or cannot be assessed at this stage, no estimate of the additional financial implication is feasible at this stage. However, the additional burden will be borne by the respective requiring bodies from their respective budgets.

CALCUTTA,
The 22nd January, 1996.

BENOY KRISHNA CHOWDHURY,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-1

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

MAGHA 11] WEDNESDAY, JANUARY 31, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 194 -L.—31st January, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 3 of 1996

THE WEST BENGAL SALES TAX (AMENDMENT) BILL, 1996.

A
BILL

to amend the West Bengal Sales Tax Act, 1994.

WHEREAS it is expedient to amend the West Bengal Sales Tax Act, 1994, for the purposes and in the manner hereinafter appearing; West Ben. Act XLIX of 1994.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the West Bengal Sales Tax (Amendment) Act, 1996.

(2) Section 1 and clause (b) of section 2 shall be deemed to have come into force on the 1st day of May, 1995; clause (a) of section 2, section 4 and section 6 shall be deemed to have come into force on the 1st day of November, 1995; and the remaining provisions of this Act shall come into force on such date, or shall be deemed to have come into force on such date not earlier than the 1st day of May, 1995, as the State Government may, by notification in the *Official Gazette*, appoint, and different dates may be appointed for different provisions of this Act.

The West Bengal Sales Tax (Amendment) Bill, 1996.

(Clauses 2-5.)

Amendment of section 2 of West Ben Act XLIX of 1994

2. In the West Bengal Sales Tax Act, 1994 (hereinafter referred to as the principal Act), in section 2,—

(a) in clause (35), after the words and figures "surcharge payable under section 16", the words, figures and letter "and additional sales tax payable under section 18A" shall be inserted;

(b) in clause (40), in sub-clause (a), after the words "in West Bengal,", the words "but excluding such sales as the State Government may, by notification, specify," shall be inserted.

Amendment of section 14

3. In section 14 of the principal Act,—

(a) after sub-section (2), the following sub-section shall be inserted:—

"(2A) Every casual trader liable to pay tax under sub-section (1) on purchases of any goods shall pay, in such manner and within such time as may be prescribed, the amount of tax payable on purchase price of such goods.";

(b) in sub-section (4),—

(i) after the words "in respect of such goods", the words, figures, letter and brackets "and, if the person is a casual trader liable to pay tax under sub-section (1), document evidencing payment of tax made under sub-section (2A)" shall be inserted;

(ii) in clause (a), after the words, figure and brackets "under sub-section (1)", the words and figures "and has complied with the restrictions and conditions referred to in section 73" shall be inserted;

(iii) in clause (b), after the words "on behalf of a casual trader", the words, figures, letter and brackets "liable to pay tax under sub-section (1) and the evidence of payment under sub-section (2A) is not produced" shall be inserted;

(c) in sub-section (8), the words "or transporter" shall be omitted.

Insertion of new section 18A

4. After section 18 of the principal Act, the following section shall be inserted:—

"Levy and rate of additional sales tax

18A. (1) In addition to surcharge payable under section 16, there shall be levied an additional sales tax on the tax payable by a dealer under section 17 in respect of sales of goods specified in part B of Schedule IV, other than furnace oil and kerosene oil, at the rate of twenty *per centum* of such tax.

(2) No dealer shall realise from his purchaser any amount of additional sales tax payable by him under this section.".

Substitution of new section for section 73.

5. For section 73 of the principal Act, the following section shall be substituted:—

"Measure to prevent evasion of tax on sales in West Bengal or to ensure payment of tax on purchases in West Bengal

73. (1) No consignment of—

(a) (i) goods, imported from outside West Bengal or manufactured in West Bengal, or goods, other than those specified in Schedule IV, purchased in West Bengal, shall be despatched by a consignor in a goods vehicle from any place in West Bengal to a destination in West Bengal, or

(ii) goods shall be despatched by a consignor in a goods vehicle from any place in West Bengal to a destination outside West Bengal, or

The West Bengal Sales Tax (Amendment) Bill, 1996.

(Clause 6.)

(b) goods shall be carried by a transporter in a goods vehicle from any place in West Bengal to a destination in or outside West Bengal,

except in accordance with such restrictions and conditions as may be prescribed to prevent evasion of tax on sales in West Bengal or to ensure payment of tax on purchases in West Bengal, as the case may be:

Provided that the provisions of this sub-section shall not apply where the transporter carrying such goods proves to the satisfaction of the person appointed under sub-section (1) of section 3 and authorised by the Commissioner in this behalf (hereinafter referred to in this section as the authorised officer) that consequent upon sale of goods in the course of export within the meaning of sub-section (1) of section 5 of the Central Sales Tax Act, 1956, a goods vehicle carrying such goods is bound for such country as the State Government may, by notification, specify. 74 of 1956.

(2) If, any person transporting any consignment of goods, or any person in charge of a goods vehicle carrying such consignment at the time of interception, contravenes the provisions of clause (b) of sub-section (1), the authorised officer shall first intercept and detain the goods vehicle for a period ordinarily not exceeding twenty-four hours to enable him to furnish such document as provided in sub-section (1) in respect of such consignment of goods, and thereafter, if such person fails to furnish such document, the authorised officer shall seize such consignment of goods from his custody.

(3) Where any consignment of goods is seized under sub-section (2), the authorised officer may, after giving an opportunity of being heard to the person transporting the consignment of goods or the person in charge of such vehicle, as the case may be, from whom such consignment is seized, by an order in writing, impose on him a penalty to the extent of not less than one thousand rupees and not more than twenty thousand rupees for contravention of the provisions of clause (b) of sub-section (1), and direct him to pay such penalty in such manner and by such time as may be prescribed.

(4) The consignment of goods seized under sub-section (2) shall be released on payment of penalty imposed under sub-section (3).

(5) If the penalty imposed under sub-section (3) is not paid, the seized goods shall be sold in open auction and the sale proceeds thereof shall be applied in the manner, and subject to the conditions, provided in sub-section (4), sub-section (5), sub-section (6), sub-section (7), and sub-section (8), of section 71, as may be applicable for the purposes of this section.

(6) If the State Government is, at any time, of the opinion that it would be in the public interest so to do, it may, by notification, exempt from such date, for such period, and subject to such conditions, as may be specified therein, any class or classes of transporter carrying any class or classes of goods referred to in sub-section (1) from complying with the restrictions and conditions referred to in that sub-section.".

Amendment of section 88.

6. In section 88 of the principal Act,—

(a) after sub-section (8), the following sub-section shall be inserted:—

"(8A) Whoever realises any amount of additional sales tax referred to in section 18A in contravention of the provisions thereof shall be punishable with imprisonment of either description which shall not be less than three months but which may extend to one year or with fine not exceeding five thousand rupees or with both.";

(b) in sub-section (10), for the words, figure and brackets "or sub-section (8)", the words, figures, letter and brackets ", sub-section (8) or sub-section (8A)" shall be substituted.

The West Bengal Sales Tax (Amendment) Bill, 1996.

(Clause 7.)

Repeal and saving.

7. (1) The West Bengal Sales Tax (Amendment) Ordinance, 1995, is hereby repealed. West Ben. Ord. II of 1995.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

In course of implementation of the provisions of the West Bengal Sales Tax Act, 1994 (West Ben. Act XLIX of 1994), it appeared to the State Government that it would be expedient—

(i) to redefine the term "tax" in clause (35) of section 2 so as to include therein "additional sales tax" leviable under section 18A;

(ii) to redefine the term "turnover of sales" in clause (40) of section 2 to allow exemption from tax on the first point of a sale of petrol and diesel in certain cases in West Bengal in order to collect the tax from a registered dealer at a subsequent point of such sale in West Bengal;

(iii) to make necessary provision in section 14 by way of incorporating a new sub-section (2A) therein for obligation to make payment of admitted amount of tax by a casual trader on his purchases in West Bengal before determination of such tax by the assessing authority;

(iv) to bring about consequential changes in sub-section (4) of section 14 following the incorporation of new sub-section (2A) therein;

(v) to incorporate a new section 18A for the levy of a non-passable additional sales tax on the sales of petrol and diesel without any increase in the price of sale to the consumers;

(vi) to substitute the provisions of section 73 by new provisions with suitable changes to enlarge the scope of the existing provisions so as to regulate despatches of consignments of goods from any place in West Bengal to a destination in and outside West Bengal and to ensure payment of tax on purchases by casual traders from the persons other than registered dealers in West Bengal;

(vii) to incorporate a new sub-section (8A) in section 88 for prosecution of those dealers who realise non-passable additional sales tax from their customers while selling petrol and diesel, and to make consequential changes in sub-section (10) of section 88.

2. As the West Bengal Legislative Assembly was not in session and as it was necessary to take immediate action in the matter, an Ordinance, namely, the West Bengal Sales Tax (Amendment) Ordinance, 1995 (West Ben. Ord. II of 1995), was promulgated.

3. The Bill seeks to replace the said Ordinance by an Act of the State Legislature.

CALCUTTA,
The 31st January, 1996.

ASIM KUMAR DASGUPTA,
Member-in-charge.

FINANCIAL MEMORANDUM.

No additional expenditure is envisaged to give effect to the provision of the Bill.

CALCUTTA,
The 31st January, 1996.

ASIM KUMAR DASGUPTA,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-6

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

MAGHA 13] FRIDAY, FEBRUARY 2, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 214-L.—2nd February, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 4 of 1996

THE CALCUTTA MUNICIPAL CORPORATION (AMENDMENT) BILL, 1996.

A
BILL

to amend the Calcutta Municipal Corporation Act, 1980.

WHEREAS it is expedient to amend the Calcutta Municipal Corporation Act, 1980, for the purposes and in the manner hereinafter appearing; West Ben. Act LIX of 1980.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the Calcutta Municipal Corporation (Amendment) Act, 1996.

(2) Section 10 and section 19 shall come into force at once; and the remaining provisions of this Act shall be deemed to have come into force on the 4th day of December, 1995.

The Calcutta Municipal Corporation (Amendment) Bill, 1996.

(Clauses 2-6.)

Amendment of section 2 of West Ben Act LIX of 1980

2. In section 2 of the Calcutta Municipal Corporation Act, 1980 (hereinafter referred to as the principal Act), clauses (2), (10), (22), (36) and (37) shall be omitted.

Amendment of section 14

3. To clause (b) of sub-section (3) of section 14 of the principal Act, the following proviso shall be added:—

"Provided that no Government employee above 60 years of age shall be appointed.".

Amendment of section 17

4. To sub-section (4) of section 17 of the principal Act, the following proviso shall be added:—

"Provided that no upward revision of the size of the establishment of the Corporation shall be made without the prior sanction of the State Government.".

Amendment of section 21

5. In section 21 of the principal Act,—

(a) for sub-section (3), the following sub-section shall be substituted:—

"(3) Any officer or employee of the Corporation as may be determined by regulation, may be censured, fined, penalised by withholding of increment or promotion temporarily or permanently, penalised by recovery from his pay of the whole or part of any pecuniary loss caused by him to the Corporation, reduced to a lower stage in the time-scale of pay for a specified period, reduced to a lower time-scale of pay, grade, post or service, or penalised by compulsory retirement or removal or dismissal from service for any breach of departmental rules or of discipline or for negligence of duties or for other misconduct, by the authority by whom such officer or employee has been appointed.";

(b) after sub-section (3), the following sub-sections shall be inserted:—

"(3A) The Commissioner or the appointing authority may pass an order of suspension pending departmental proceedings or prior to the initiation of any departmental proceedings against any employee of the Corporation.

(3B) An employee of the Corporation who is detained in custody for a period exceeding 48 hours on a criminal charge, shall be deemed to have been suspended by an order of the appointing authority with effect from the date of his detention and shall remain under suspension until further orders. An employee of the Corporation who is undergoing a sentence of imprisonment shall also be dealt with in the same manner, pending a decision on the disciplinary action to be taken against him.";

(c) in sub-section (5), after the words "Municipal Service Commission", the words "or the Public Service Commission, as the case may be," shall be inserted.

Amendment of section 26

6. In section 26 of the principal Act,—

(a) in clause (b) of sub-section (1), for the word "two", the word "three" shall be substituted;

(b) in sub-section (2), for the words "and one member shall be nominated by the State Government.", the words ", and two members, one of whom shall be an officer of the Department of Scheduled Castes and Tribes Welfare of the State Government, shall be nominated by the State Government." shall be substituted.

The Calcutta Municipal Corporation (Amendment) Bill, 1996.

(Clauses 7-11.)

Amendment of section 27A.

7. In sub-section (8) of section 27A of the principal Act, for the words "the Corporation, if it considers necessary, may refer any such case to the State Government for approval.", the words "the Corporation shall refer the matter to the State Government for decision, and the decision of the State Government thereon shall be final." shall be substituted.

Amendment of section 29

8. In section 29 of the principal Act, after clause (a), the following clauses shall be inserted:—

"(aa) providing, by itself or by an agency, means of supply of water for fire-fighting purposes;

(aaa) measures as may be required for fire prevention and fire safety under the West Bengal Fire Services Act, 1950, and the rules made thereunder;". West Ben Act XVIII of 1950.

Amendment of section 44.

9. In sub-section (1) of section 44 of the principal Act,—

(a) in clause (a), for the words "twenty lakhs of rupees,", the words "five lakhs of rupees," shall be substituted;

(b) in clause (b), for the words "twenty lakhs of rupees but does not exceed one crore of rupees,", the words "five lakhs of rupees but does not exceed one crore of rupees," shall be substituted.

Amendment of section 48.

10. In clause (b) of sub-section (3) of section 48 of the principal Act, after the words "any of his powers or functions", the words, figures and brackets ", including the powers or functions under section 397, sub-section (1) of section 400 and sub-section (1) of section 411," shall be inserted.

Substitution of new section for section 182A.

11. For section 182A of the principal Act, the following section shall be substituted:—

'Self-assessment and submission of return

182A. (1) Notwithstanding anything to the contrary contained elsewhere in this Act, any owner or person liable to pay the consolidated rate on—

(a) any new building or existing building which has not been assessed, or

(b) any existing building which has been redeveloped or substantially altered or improved after the last assessment, but has not been subjected to revision of assessment consequent upon such redevelopment or alteration or improvement, as the case may be, or

(c) any new building or existing building referred to in clause (a) or clause (b), the bills in respect of which have not been issued,

shall pay such consolidated rate, together with interest, if any, payable under any provision of this Act, on self-assessment:

Provided that such self-assessment shall be certified by a valuer holding a diploma from the Institution of Surveyors and enlisted with the Corporation for such valuation, where the total floor area of such new building or existing building exceeds 400 square metres:

Provided further that the valuation on self-assessment, where the total floor area of a new building or existing building exceeds 400 square metres or not, shall be—

(a) where the value of land and building does not exceed Rs. 2.00 lakhs of the self-assessed value—1 per cent;

(b) where the value exceeds Rs. 2.00 lakhs—1.5 per cent.

Explanation.—For the purposes of this sub-section,—

(1) "last assessment" shall mean the assessment where the annual value has been determined by the hearing officer under this Act and communicated to the assessee;

The Calcutta Municipal Corporation (Amendment) Bill, 1996.

(Clauses 12, 13.)

(2) "Institution of Surveyors" shall mean the Institution of Surveyors recognised as such by the Government of India;

(3) "value" shall, in the case of an apartment, mean the cost of the apartment and the proportionate cost of the land.

(2) Such owner or person shall furnish to the Municipal Commissioner a return of self-assessment in such form, and in such manner, as may be prescribed. Every such return shall be accompanied by proof of payment of such consolidated rate and interest, if any.

(3) The payment of such consolidated rate and interest, if any, shall be made, and such return shall be furnished, within sixty days of the commencement of the Calcutta Municipal Corporation (Amendment) Act, 1996.

(4) In the case of any new building for which an occupancy certificate has been granted or which has been taken possession of after the commencement of the Calcutta Municipal Corporation (Amendment) Act, 1996, such payment shall be made, and such return shall be furnished, within thirty days of the expiry of the quarter in which such occupancy certificate is granted or such possession is taken, whichever is earlier.

Explanation.—Occupancy certificate may be provisional or final and may be for the whole or any part of the building; possession may be of the whole or any part of a building.

(5) Such payment shall continue to be made for each subsequent quarter and the last date of such payment shall be thirty days after the expiry of each such quarter.

(6) After the assessment under section 179 or revision of assessment under section 180 has been made, any amount paid on self-assessment under this section shall be deemed to have been paid on account of the assessment under section 179 or section 180, as the case may be.

(7) If any owner or other person, liable to pay the consolidated rate under this Act, fails to pay the same together with interest, if any, in accordance with the provisions of this section, he shall, without prejudice to any other consequence to which he may be subject, be deemed to be a defaulter in respect of the consolidated rate or the interest or both remaining unpaid, and all the provisions of this Act applicable to such defaulter shall apply to him accordingly.

(8) After the assessment is finally made under this Act, if the payment on self-assessment is found to be less than that of the amount payable by the assessee, in such case the assessee shall pay up the difference within two months from the date of final assessment, failing which recovery shall be made in accordance with the provisions of this Act but, after the final assessment, if it is found that the assessee has paid excess amount, in such case such excess amount shall be adjusted against the actual tax payable by the assessee.'.

Amendment of section 183.

12. To sub-section (5) of section 183 of the principal Act, the following proviso shall be added:—

"Provided that nothing in this sub-section shall be construed to mean that mutation in a case, where there is arrear of any dues to the Corporation on account of the transferor or the predecessor-in-interest of the applicant, shall be refused.".

Amendment of section 189.

13. In section 189 of the principal Act,—

(a) in sub-section (2), for the proviso, the following provisos shall be substituted:—

"Provided that the Chairman may constitute one or more separate benches, each bench comprising two or more members, one of whom shall be a member of the West Bengal Higher Judicial Service (hereinafter referred to as the Judicial Member), and may transfer to any such bench any appeal for disposal or may withdraw from any such bench any appeal before it is finally disposed of:

The Calcutta Municipal Corporation (Amendment) Bill, 1996.

(Clauses 14-16.)

Provided further that no such bench shall be constituted with any member of the West Bengal Higher Judicial Service other than one who is or has been a member of that Service for a period of not less than three years.";

(b) after sub-section (2), the following sub-section shall be inserted:—

"(2A) Where a separate bench is constituted under the first proviso to sub-section (2), the Judicial Member shall exercise and perform all the powers and functions of the Chairman under this Act or the rules made thereunder.".

Amendment of section 199

14. In section 199 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted:—

"(1) Every person engaged or intending to be engaged in any profession, trade or calling in Calcutta as mentioned in Schedule IV, either by himself or by an agent or representative, shall obtain a certificate of enlistment or get the same renewed annually, as the case may be, from the Municipal Commissioner upon presentation of an application in such form as may be specified by the Municipal Commissioner together with such application fee, not exceeding rupees ten, as may be determined by the Corporation. Such application form shall be available from the Corporation on payment of such fee as may be determined by the Municipal Commissioner.";

(b) to sub-section (2), the following proviso shall be added:—

"Provided that no profession, trade or calling, referred to in sub-section (1), shall be commenced or carried on without any licence or permission, as required under this Act, being taken out and produced before the Municipal Commissioner, failing which the certificate of enlistment shall not be renewed.".

Insertion of new chapter XXA

15. In part V of the principal Act, after chapter XX, the following chapter shall be inserted:—

'CHAPTER XXA

Fire prevention and fire safety

Arrangement for fire prevention and fire safety.

342A. On the coming into force of the West Bengal Fire Services Act, 1950, in any area within the jurisdiction of the Corporation, the Corporation shall, in consultation with the Director of Fire Services or any officer authorised by him in this behalf by general or special order, require the owner or the occupier of all or any of the premises in such area to make, or to carry, such arrangements as may be necessary for fire prevention and fire safety in such area.

West Ben Act XVIII of 1950

Explanation.—"Director of Fire Services" shall mean the Director of Fire Services referred to in clause (e) of section 2 of the West Bengal Fire Services Act, 1950.'.

Amendment of section 390

16. In section 390 of the principal Act, in clause (2),—

(i) in sub-clause (a),—

(A) the words "lodging or rooming houses," shall be omitted, and

(B) the word "dormitories," shall be omitted;

(ii) in sub-clause (c), the words ", lodging or rooming houses, hotels, guest-houses, dormitories" shall be omitted;

(iii) in sub-clause (d), after the words "boarding houses,", the words "lodging or rooming houses, guest-houses, dormitories," shall be inserted;

(iv) sub-clause (j) shall be omitted.

The Calcutta Municipal Corporation (Amendment) Bill, 1996.

(Clauses 17, 18.)

Amendment of section 391

17. In section 391 of the principal Act, in sub-section (2),—

(a) for the word "nine", the word "seven" shall be substituted;

(b) in clause (d), the word "and" shall be omitted;

(c) in clause (e), for the words "Department of Local Government and Urban Development,", the words "Department of Municipal Affairs," shall be substituted;

(d) after clause (e), the following clauses shall be inserted:—

"(f) one shall be an architect of repute to be selected in consultation with the Council of Architecture constituted under section 3 of the Architects Act, 1972, and 20 of 1972.

(g) one shall be a Town Planner of repute to be selected in consultation with the Institute of Town Planners of India.".

Insertion of new section 413A

18. After section 413 of the principal Act, the following section shall be inserted:—

"Regularization of buildings in certain cases

413A. (1) Notwithstanding anything contained in this chapter or elsewhere in this Act, all buildings, the construction of which by the persons displaced from East Pakistan (now Bangladesh) or by their successors-in-interest on lands occupied by such persons have been completed on or before the commencement of the Calcutta Municipal Corporation (Amendment) Act, 1996, and where the documents of title to such lands have been granted by the State Government, shall be regularized by the Municipal Commissioner under this chapter, subject to payment of the requisite fees and charges and on submission of application in the prescribed form along with the plan for each such building:

Provided that such regularization shall be made only in the cases where the constructions have been completed in conformity with the existing building rules of the Corporation:

Provided further that in the cases where the building have been completed not in conformity with the existing building rules of the Corporation, in the appropriate cases the Municipal Commissioner, in relaxation of such building rules, shall be competent to regularize such building:

Provided also that where the documents of title to the lands as aforesaid have not been granted by the State Government, the buildings on such lands shall be regularized in the aforesaid manner after the documents of title to such lands are granted by the State Government.

Explanation.—While relaxing the building rules of the Corporation, the Municipal Commissioner shall, in addition to other factors, if any, take into account the structural stability and safety of the buildings in accordance with such rules as the State Government may make in this behalf.

(2) Where the construction of the building has been completed by such person on or before the commencement of the Calcutta Municipal Corporation (Amendment) Act, 1996, and the document of title to land has been granted by the State Government, such person shall apply for regularization in accordance with the provisions of sub-section (1) within one year from the date of commencement of the Calcutta Municipal Corporation (Amendment) Act, 1996.

(3) Where the construction of the building has been completed but the document of title to land has not been granted by the State Government, such person shall apply for regularization in accordance with the provisions of sub-section (1) within one year from the date of grant of document of title to land.

The Calcutta Municipal Corporation (Amendment) Bill, 1996.

(Clauses 19-21.)

(4) Any building, the construction of which on the land as aforesaid has not been completed at the date of commencement of the Calcutta Municipal Corporation (Amendment) Act, 1996, or any building proposed to be constructed on or after the said date, shall be governed by the provisions of this chapter.".

Substitution of new section for section 414.

19. For section 414 of the principal Act, the following section shall be substituted:—

'Engagement of technical person.

414. (1) Every person, who intends to erect, re-erect, add to, or alter, any building, shall, subject to the provisions of this Act, engage such technical person and in such manner as may be prescribed.

(2) The categories, and the qualifications, competence, duties and responsibilities, of the technical persons shall be such as may be prescribed.

(3) The Municipal Commissioner may by notification specify the manner of enrolment of, or grant of licence to, the technical persons.

(4) The Municipal Commissioner may by order cancel the enrolment of, or revoke the licence granted to, a technical person on the ground of dereliction of any duty or responsibility prescribed under sub-section (2), or professional misconduct or moral turpitude, on his part after giving him a reasonable opportunity of being heard.

(5) If, in any case, any loss of life or property is caused, or is likely to be caused, by reason of any misconduct on the part of a technical person engaged under sub-section (1), such technical person shall be subject to the provisions of section 401A.

Explanation.—For the purposes of this section, the expression "technical person" shall mean a technical consultant.'.

Substitution of new section for section 450.

20. For section 450 of the principal Act, the following section shall be substituted:—

"Survey of *bustees*, and preparation of record-of-rights etc., by Corporation

450. Subject to the provisions of the Calcutta *Thika* and other Tenancies and Lands (Acquisition and Regulation) Act, 1981, and, in particular, the provisions of section 25 of that Act, the Corporation may, in accordance with such directions as the State Government may issue and on such terms as the State Government may determine, undertake survey of *bustees* to prepare record-of-rights of tenants in respect of occupancy of land and title to huts or other structures held by them under the State Government under section 6 of that Act, their size, description and location in relation to streets, lanes, by-lanes and passages, the land revenue due to the State Government, the number of *Bharatias* and their names and addresses, the rents realised from them and the period of occupancy of huts or other structures, and to delineate the physical features on a survey map of *bustees* on such scale as may be prescribed.".

West Ben. Act XXXVII of 1981.

Insertion of new sections 450A, 450B and 450C.

21. In chapter XXVI of the principal Act, after section 450, the following sections shall be inserted:—

"Standard layout plan for development of *bustee*.

450A. (1) The Corporation, if it considers that a *bustee* requires planned development or modification or alteration of the layout or remodelling for a public purpose as defined in the *Explanation* to sub-section (3) of section 7 of the Calcutta *Thika* and other Tenancies and Lands (Acquisition and Regulation) Act, 1981, may, after giving such notice as may be prescribed, prepare a standard layout plan for such *bustee* in such manner as may be prescribed, and cause it to be published, with the approval of the State Government, in the *Official Gazette*, and publicly displayed in the *bustee* in the manner prescribed.

(2) Where a notice for the preparation of a standard layout plan has been given under sub-section (1), no new hut or structure shall be erected in the *bustee* and no addition to an existing building in the *bustee* shall be made until a standard layout plan for the *bustee* has been published under sub-section (1).

The Calcutta Municipal Corporation (Amendment) Bill, 1996.

(Clause 22.)

(3) Where a standard layout plan for any *bustee* has been published, no new hut or masonry building shall be erected in such *bustee* and no addition to an existing building, and no such change of use of land as does not conform to the standard layout plan, shall be made:

Provided that no new construction conforming to the standard layout plan shall be undertaken without the sanction of building plan as required under this Act and the regulations made thereunder.

Demolition and removal of building not in conformity with standard layout plan in *bustee*

450B. Where a standard layout plan has been published for any *bustee* under sub-section(1) of section 450, the State Government may, under section 10 of the Calcutta *Thika* and other Tenancies and Lands (Acquisition and Regulation) Act, 1981, appoint the Municipal Commissioner as Controller to perform all the functions of a Controller under that Act in respect of such *bustee*, and, thereupon the Municipal Commissioner may, with the approval of the State Government and by written notice, require the owner of any building in such *bustee*, not in conformity with the standard layout plan, to demolish and remove the whole or any portion of such building or to reconstruct such building, as the case may be, so as to make such building conform to the standard layout plan and, where the owner of such building is a *thika* tenant, the Municipal Commissioner may, with the approval of the State Government, resume the land comprised in such *thika* tenancy with or without the building, if any, and take possession of the land, subject to the proviso to sub-section (3) of section 7 of that Act in regard to alternative accommodation to the *thika* tenants in actual occupation of the building and *Bharatias*, and payment of compensation as provided for in sub-section (5) of section 8 of that Act and the rules made thereunder West Ben Act XXXVII of 1981

Sanction of plan for permanent construction in *bustee*

450C Subject to the provisions of sections 450A and 450B, the Corporation may sanction building plans submitted by one or more *thika* tenants, or by such person or authority as is referred to in section 27 of the Calcutta *Thika* and other Tenancies and Lands (Acquisition and Regulation) Act, 1981, for the purpose of permanent construction in the nature of renovation of, addition to, or alteration or conversion into *pucca* structure of, an existing hut and also for construction of new structure, in a *bustee*, the standard layout plan for which has been published under sub-section (1) of section 450A, in accordance with such regulations as the Corporation may make and on payment of such fee as the Corporation may determine·

Provided that such building plans shall not be submitted in piecemeal but shall constitute a total package of proposals for new construction covering a substantial land area comprised in the *bustee* and including physical development thereof as contained in the standard layout plan, and conforming to the character and physical pattern of development and use of land as outlined in the standard layout plan, so as to represent faithfully a substantial part of the whole towards planned development in a phased manner,

Provided further that such building plans shall not be treated as valid unless accompanied by a written undertaking to comply with the provisions of sub-section (2) of section 11 of the Calcutta *Thika* and other Tenancies and Lands (Acquisition and Regulation) Act, 1981, regarding restoration of possession of accommodation of *Bharatias* in the reconstructed, renovated or newly built building or structure.".

Insertion of new section 517A

22. After section 517 of the principal Act, the following section shall be inserted:—

"Power to remove nuisance

517A. Notwithstanding anything contained in section 517, if the Mayor-in-Council is of the opinion that immediate removal of any nuisance continuing on any land or building in contravention of the provisions of this Act is necessary, it may, for reasons to be recorded in writing, cause such nuisance to be removed forthwith "

The Calcutta Municipal Corporation (Amendment) Bill, 1996.

(Clauses 23-27.)

Amendment of section 546.

23. In sub-section (1) of section 546 of the principal Act,—

(a) for the words "to make any entry into any place", the words "to make any entry into, and to cause to be vacated, any place" shall be substituted;

(b) in clause (b), after the words "gate or barrier", the words "or to vacate such place" shall be inserted.

Amendment of section 604.

24. The proviso to sub-section (2) of section 604 of the principal Act shall be omitted.

Amendment of section 619A.

25. Section 619A of the principal Act shall be renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-sections shall be inserted:—

'(2) No court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.

(3) Except as otherwise provided in sub-section (1), no court shall take cognizance of any offence punishable under this Act or of the abatement of any such offence—

(a) save on its own knowledge of the offence or police report of the facts which constitute the offence, or

(b) save on complaint made by the person aggrieved by the offence or the parent or other relative of such person or any recognised welfare institution or any recognised professional institution or organisation of engineers, architects or technocrats.

Explanation.—For the purposes of this sub-section, "recognised welfare institution" or "recognised professional institution or organisation of engineers, architects or technocrats" shall mean a welfare institution or, as the case may be, a professional institution or organisation of engineers, architects or technocrats, recognised by the Central Government or the State Government.'.

Omission of Schedule III

26. Schedule III of the principal Act shall be omitted.

Repeal and saving

27. (1) The Calcutta Municipal Corporation (Amendment) Ordinance, 1995, is hereby repealed. West Ben Ord III of 1995.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

The Calcutta Municipal Corporation suggested to the State Government from time to time amendments of certain sections of the Calcutta Municipal Corporation Act, 1980, in the interest of better municipal administration of the city of Calcutta. Some other sections of the said Act are also required to be amended, as proposed by the Accountant-General (Audit-I), West Bengal, provide a better financial discipline. And yet some other amendments of some other sections, as suggested by the Scheduled Castes and Tribes Welfare Department of the State Government for its representation in the Municipal Service Commission, are also necessary.

2. After a careful consideration of the suggestions as aforesaid, the State Government is of the opinion that it is necessary—

(i) to regulate the plan, specifications and constructions of buildings in the Calcutta Municipal Corporation area including *Bustee*, and the violations thereof;

(ii) to regularize the constructions of buildings on lands occupied by persons displaced from East Pakistan (now Bangladesh);
(iii) to include provisions relating to fire services;
(iv) to introduce the system of self-assessment and submission of return by the owners of, or the persons liable to pay consolidated rates on, lands and buildings, etc.;
(v) to remove nuisance continuing on any land or in any building forthwith;
(vi) to make the exercise of power by the Corporation in the matter of establishment and schedule of posts more rigid;
(vii) to appoint an officer of the Department of Scheduled Castes and Tribes Welfare as the nominee of the State Government in the Municipal Service Commission;
(viii) to enforce appropriate discipline in the conduct of officers and other employees of the Corporation;
(ix) to empower the State Government to take final decision in the case of dispute in the matter of acceptance of recommendation of the Vigilance Authority;
(x) to constitute Benches in the Municipal Assessment Tribunal by appointing officers of the West Bengal Higher Judicial Service as Judicial Members, so that pending appeal may be disposed of early.

3. With a view to providing for the necessities as aforesaid in the Calcutta Municipal Corporation Act, 1980, it was considered expedient to amend the said Act immediately so as to ensure a smooth and efficient administration of the said Act.

4. As, however, the West Bengal Legislative Assembly was not in session at the material time, an Ordinance, namely, the Calcutta Municipal Corporation (Amendment) Ordinance, 1995 (West Bengal Ordinance No. III of 1995), was promulgated.

5. The Bill seeks to continue mainly the provisions of the said Ordinance.

CALCUTTA,
The 1st February, 1996.

ASHOKE BHATTACHARYYA,
Member-in-charge.

FINANCIAL MEMORANDUM.

There is no financial implication affecting the State Exchequer arising out of the amendments proposed in the Bill.

CALCUTTA,
The 1st February, 1996.

ASHOKE BHATTACHARYYA,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-2

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

MAGHA 13] FRIDAY, FEBRUARY 2, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 217-L.—2nd February, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 5 of 1996

THE MURSHIDABAD ESTATE (MANAGEMENT OF PROPERTIES) AND MISCELLANEOUS PROVISIONS (AMENDMENT) BILL, 1996.

A
BILL

to amend the Murshidabad Estate (Management of Properties) and Miscellaneous Provisions Act, 1980.

WHEREAS it is expedient to amend the Murshidabad Estate (Management of Properties) and Miscellaneous Provisions Act, 1980, for the purposes and in the manner hereinafter appearing; West Ben Act LV of 1980

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the Murshidabad Estate (Management of Properties) and Miscellaneous Provisions (Amendment) Act, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

The Murshidabad Estate (Management of Properties) and Miscellaneous Provisions (Amendment) Bill, 1996.

(Clauses 2-5.)

Amendment of section 2 of West Ben Act LV of 1980

2. In section 2 of the Murshidabad Estate (Management of Properties) and Miscellaneous Provisions Act, 1980 (hereinafter referred to as the principal Act),—

(a) after clause (e), the following clause shall be inserted:—

'(ee) "premises" means any land or building or part of a building, and includes—

(a) the garden, ground and out-house, if any, appertaining to such building or part of a building, and

(b) any fitting affixed to such building or part of a building for the more beneficial enjoyment thereof;';

(b) after clause (h), the following clause shall be inserted:—

'(i) "unauthorised occupation", in relation to any premises or other immovable properties, means the occupation by any person of the premises or other immovable properties without authority for such occupation, and includes the continuance in occupation by any person of the premises or other immovable properties after the authority (whether by way of grant or any other mode of transfer) under which he was allowed to occupy the premises or other immovable properties has expired or has been determined for any reason whatsoever.'.

Amendment of section 4

3. In section 4 of the principal Act, for sub-section (6), the following sub-section shall be substituted:—

"(6) Save as otherwise provided in this Act, any suit or other legal proceeding, except a suit or other legal proceeding against an order of eviction from any premises or other immovable properties under section 9, for the enforcement of any right or remedy in respect of any of the Estate properties may be instituted in any court by or against the State Government, as the case may be, and not otherwise.".

Amendment of section 8

4. In section 8 of the principal Act,—

(a) in sub-section (1), for the words and brackets "any premises included in the Estate properties (hereinafter referred to as the premises)", the words and brackets "any premises or other immovable properties included in the Estate properties (hereinafter referred to as the premises or other immovable properties)" shall be substituted;

(b) in sub-section (2), in clause (b), for the words "the premises,", the words "the premises or other immovable properties," shall be substituted;

(c) in sub-section (3), for the words "the premises,", the words "the premises or other immovable properties," shall be substituted;

(d) in sub-section (4), for the words "in occupation of the premises,", the words "in unauthorised occupation of the premises or other immovable properties," shall be substituted.

Substitution of new section for section 9

5. For section 9 of the principal Act, the following section shall be substituted:—

"Eviction of unauthorised occupants

9. (1) If, after considering the cause, if any, shown by any person in pursuance of a notice under section 8 and any evidence he may produce in support of the same and after giving him a reasonable opportunity of being heard, the Estate Manager is satisfied that the premises or other immovable properties are in unauthorised occupation,

The Murshidabad Estate (Management of Properties) and Miscellaneous Provisions (Amendment) Bill, 1996.

(Clause 6.)

the Estate Manager may, on a date to be fixed for the purpose, make an order of eviction, for reasons to be recorded therein, directing that the premises or other immovable properties shall be vacated, and the possession thereof shall be delivered to the Estate Manager or any other officer duly authorised by the Estate Manager in this behalf, by all persons who may be in occupation thereof or any part thereof, within such period as may be specified in the order, and furnish a copy of the order, if applied for, to all such persons, free of cost, and also cause a copy of the order to be affixed on the outer door or some other conspicuous part of the premises or other immovable properties.

(2) If any person refuses or fails to comply with the order of eviction made under sub-section (1) within the period specified in the order or within fifteen days of its publication under sub-section (1), whichever is later, the Estate Manager or any other officer duly authorised by the Estate Manager in this behalf may evict that person from, and take possession of, the premises or other immovable properties and may, for that purpose, use such force as may be necessary.

(3) The cost of taking possession of the premises or other immovable properties under sub-section (2) shall be payable by the person from whom possession of the premises or other immovable properties has been taken within such period as the Estate Manager may by order direct.".

Insertion of new sections 9A and 9B.

6. After section 9 of the principal Act, the following sections shall be inserted:—

"Disposal of property.

9A. (1) Where any persons have been evicted from any premises or other immovable properties under section 9, the Estate Manager may, after giving fourteen days' notice to the persons from whom possession of the premises or other immovable properties has been taken, remove or cause to be removed or dispose of by public auction any property remaining on such premises.

(2) Where any property is sold under sub-section (1), the sale proceeds shall, after deducting the expenses of the sale and the amount, if any, due to the Estate Manager on account of arrears of rent or damages or costs, be paid to such person or persons as may appear to the Estate Manager to be entitled to the same.

Appeal

9B. (1) An appeal shall lie from every order of the Estate Manager made under section 9 to an appellate officer who shall be the district judge of the district in which the premises or other immovable properties are situate or such other judicial officer in that district of not less than ten years' standing as the district judge may designate in this behalf.

(2) An appeal under sub-section (1) shall be preferred within fifteen days from the date of publication of the order under that sub-section:

Provided that the appellate officer may entertain the appeal after the expiry of the said period of fifteen days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(3) Where an appeal is preferred from an order of the Estate Manager, the appellate officer may stay the enforcement of that order for such period and on such conditions as he deems fit.

(4) Every appeal under this section shall be disposed of by the appellate officer as expeditiously as possible.

(5) The costs of any appeal under this section shall be in the discretion of the appellate officer.

The Murshidabad Estate (Management of Properties) and Miscellaneous Provisions (Amendment) Bill, 1996.

(Clause 7.)

(6) For the purposes of this section, the City of Calcutta as defined in clause (3) of section 2 of the City Civil Court Act, 1953, shall be deemed to be a district and the Chief Judge or the principal judge of the City Civil Court therein shall be deemed to be the district judge of the district.". West Ben. Act XXI of 1953.

Insertion of new section 14A.

7. After section 14 of the principal Act, the following section shall be inserted:—

"Bar of jurisdiction of Civil Courts

14A. No Civil Court shall have jurisdiction to deal with or to decide any question which is required to be dealt with or to be decided under the provisions of this Act.".

STATEMENT OF OBJECTS AND REASONS.

The Murshidabad Estate (Management of Properties) and Miscellaneous Provisions Act, 1980 (West Ben. Act LV of 1980) (hereinafter referred to as the Act), was enacted to provide for the management of the properties of the Murshidabad Estate as defined in clause (g) of section 2 of the Act and for matters connected therewith or incidental thereto. In course of working of the Act, certain shortcomings and lacunae came to light.

2. Section 9 of the Act makes provisions for eviction of persons in unauthorised occupation of the premises of the Murshidabad Estate by the Estate Manager, but, the Act has not defined either "premises" or "unauthorised occupation". Sections 9 and 11 of the Act further give unfettered power to the Estate Manager to evict unauthorised occupants and to dispose of immovable property of the Murshidabad Estate. The Act does not provide for any right of appeal to any higher authority against an order of eviction by the Estate Manager. Nor does the Act lay down any guidelines for exercise of power conferred on the Estate Manager by sections 9 and 11 of the Act. The Act was subjected to judicial scrutiny before the High Court at Calcutta in the C.O. No. 12454(W) of 1985 (Syed Fateyab Ali Meerza-Vs.-Union of India and others), which struck down sections 9, 10 and 12 of the Act with the finding that these sections were *ultra vires* the Constitution. The High Court observed, *inter alia*, that the Act gave "unguided, uncanalised and unchartered power" to the Estate Manager, and that absence of any definition of "unauthorised occupants" and any right to appeal to any higher authority against an order of eviction by the Estate Manager would leave an alleged unauthorised occupant at the mercy of the decision of the Estate Manager. The High Court restrained the State from enforcing or implementing section 11 of the Act until rules were properly framed under section 15 of the Act for the proper administration of the Murshidabad Estate with definite guidelines to the Estate Manager and until the provision of appeal was made in the Act by suitable amendment.

3. The matter having been referred to the Government of India in the Ministry of Home Affairs, that Government have intimated that they have no objection to introduction of necessary Bill in the State Legislature for amendment of the Act. They have, however, suggested that necessary appellate provisions at par with the provisions of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958), that is to say, provision for an appeal which shall lie to the District Court for a final decision, should be incorporated in the Bill before it is introduced in the State Legislature. In view of the aforesaid judgement of the High Court at Calcutta and the suggestion of the Government of India, Ministry of Home Affairs, it is necessary to amend the Act appropriately in order to remove the shortcomings and lacunae in the Act and to provide definite and clear-cut guidelines for the Estate Manager for exercise of his power under the Act. Accordingly, the Act requires to be amended to provide for the following:—

(1) to give suitable definition for the word "premises" and the expression "unauthorised occupation";

(2) to exclude an order of eviction from any premises or other immovable properties of the Murshidabad Estate under section 9 from the jurisdiction of ordinary Civil Court in order to ensure expeditious disposal of proceedings arising from an order of eviction and prevent complications of proceedings in an ordinary Civil Court;

(3) to specify guidelines and procedure to be followed by the Estate Manager for eviction of unauthorised occupants;

(4) to specify procedure and guidelines to be followed by the Estate Manager for disposal of property remaining on the premises or other immovable properties of the Murshidabad Estate after eviction of an unauthorised occupant;

(5) to give right of appeal to the person affected against every order of the Estate Manager made under sub-section (1) of section 9 and to create a forum, and to prescribe the period of limitation, for preferring such appeal.

4. The Bill has been framed with the above objects in view.

5. There is no financial implication involved in the Bill.

CALCUTTA,
The 2nd February, 1996.

ABDUL QUIYOM MOLLAH,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IIIA)/96/SAR-3

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

MAGHA 13] FRIDAY, FEBRUARY 2, 1996 [SAKA 1917

PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Ordinance No. III of 1996

THE BIDHAN CHANDRA KRISHI VISWAVIDYALAYA (AMENDMENT) ORDINANCE, 1996.

WHEREAS it is expedient to amend the Bidhan Chandra Krishi Viswavidyalaya Act, 1974, for the purposes and in the manner hereinafter appearing; West Ben Act XLIX of 1974

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Governor is pleased, in exercise of the power conferred by clause (1) of article 213 of the Constitution of India, to make and promulgate the following Ordinance:—

Short title and commencement

1. (1) This Ordinance may be called the Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1996.

(2) It shall come into force at once.

The Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1996.

(Sections 2, 3.)

Amendment of section 2 of West Ben. Act XLIX of 1974

2. In section 2 of the Bidhan Chandra Krishi Viswavidyalaya Act, 1974 (hereinafter referred to as the principal Act),—

(1) in clause (2), for the words "crop and livestock production, veterinary and dairy sciences, fisheries,", the words "terrestrial and aquatic crop and animal production," shall be substituted;

(2) after clause (3), the following clauses shall be inserted:—

'(3a) "Associate Dean" means the Head of the teaching wing of a campus;

(3b) "Associate Director of Research" means the Head of a research wing of a campus or regional station;';

(3) after clause (4), the following clause shall be inserted:—

'(4a) "campus" means the centre imparting teaching at degree level or above and having any research or extension function;';

(4) clause (6) shall be omitted;

(5) clause (12) shall be omitted;

(6) after clause (13b), the following clause shall be inserted:—

'(13c) "station" means the research or extension station under the University;'.

Amendment of section 3.

3. In section 3 of the principal Act,—

(1) in sub-section (2),—

(a) under the heading "(i) *ex officio members*",—

(i) clause (e) shall be omitted;

(ii) for clause (h), the following clause shall be substituted:—

"(h) the Secretary, Department of Food Processing Industries, Government of West Bengal;";

(iii) after clause (j), the following clause shall be inserted:—

"(j1) the Associate Dean;";

(iv) for clause (m), the following clause shall be substituted:—

"(m) the Director of Horticulture, Government of West Bengal;";

(v) for clause (n), the following clause shall be substituted:—

"(n) the Director of Agricultural Engineering, Government of West Bengal;";

(vi) clause (o) shall be omitted;

(vii) after clause (q), the following clauses shall be inserted:—

"(q1) the Director of Farms;

(q2) the Librarian:";

(viii) in the proviso,—

(a) for the words, letters and brackets "in clauses (c) to (h) and (l) to (n)", the words, letters and brackets "in clauses (c), (d), (f), (g), (h), (m) and (n)" shall be substituted;

(b) after the words "Additional Director", the words "or Joint Director" shall be inserted;

(b) under the heading "(ii) *nominated members*", clause (s) shall be omitted;

(c) under the heading "(iii) elected members",—

(i) in clause (w), for the words "regular students of the Faculty.", the words "regular students at undergraduate, post-graduate and doctoral levels of the Faculty of whom one shall be from the post-graduate or doctoral level." shall be substituted;

(ii) in clause (x), for the words "one person", the words "two persons" shall be substituted;

The Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1996.

(Sections 4-6.)

(2) in sub-section (3a), for the words "three years,", the words "four years," shall be substituted.

Amendment of section 5.

4. In clause (1) of section 5 of the principal Act, for the words "veterinary and animal sciences, fisheries,", the words "agricultural processing engineering, terrestrial and acquatic animal sciences," shall be substituted.

Amendment of section 10.

5. In section 10 of the principal Act,—

(1) in sub-section (2),—

(a) under the heading "(a) *ex officio members*",—

(i) after clause (iii), the following clauses shall be inserted:—

"(iiia) the Director of Research;

(iiib) the Director of Extension;";

(ii) for clause (v), the following clauses shall be substituted:—

"(v) the Secretary, Department of Food Processing Industries, Government of West Bengal;

(va) the Associate Dean;"

(b) under the heading "(c) *elected members*",—

(i) in clause (xii),—

(a) after the words "from each Faculty", the words "having not more than one hundred Teachers," shall be inserted, and

(b) the following proviso shall be added at the end:—

"Provided that in the case of a Faculty having additional one hundred Teachers, one more Teacher in any rank from such Faculty shall be elected jointly by the Teachers of the Faculties;";

(ii) in clause (xiii), after the words "one post-graduate student", the words and brackets "or student at doctoral level (Doctor of Philosophy)" shall be inserted;

(iii) for clause (xiv), the following clause shall be substituted:—

"(xiv) one officer, one member of the non-teaching staff and one field worker to be elected jointly by such officers, members of the non-teaching staff and field workers as are members of the Court;";

(iv) after clause (xiv), the following clause shall be inserted:—

'(xv) one member of the West Bengal Legislative Assembly from amongst the members elected under clause (bb) under the heading "(iii) *elected members*" of sub-section (2) of section 3, to be elected by the members of the West Bengal Legislative Assembly.';

(2) in sub-section (4), for the words "three years,", the words "four years," shall be substituted.

Amendment of section 12.

6. In section 12 of the principal Act,—

(1) in sub-section (1),—

(a) for clause (b), the following clause shall be substituted:—

"(b) the Faculty Council for Post-Graduate and Undergraduate Studies in Horticulture;";

(b) after clause (b), the following clauses shall be inserted:—

"(c) the Faculty Council for Post-Graduate and Undergraduate Studies in Agricultural Engineering;

(d) such other Faculty Council as the University may, with the prior approval of the State Government, establish.";

The Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1996.

(Sections 7, 8)

(2) in sub-section (2),—

(a) after clause (i), the following clause shall be inserted:—

"(ia) the Dean of the Faculty Council, Vice-Chairman,",

(b) after clause (iv), the following clause shall be inserted:—

"(iva) the Associate Dean,",

(3) after sub-section (4), the following sub-section shall be inserted:—

"(5) The term of office of the elected or nominated members of a Faculty Council for Post-graduate and Undergraduate Studies shall be four years "

Amendment of section 13

7. In sub-section (2) of section 13 of the principal Act, for the words, figures and brackets "clauses (iv), (v), (vii), (viii) and (xiv)", the words, figures and brackets "clauses (iv) and (v)" shall be substituted

Amendment of section 14

8. In section 14 of the principal Act,—

(1) in sub-section (1), for the words "Veterinary and Animal Sciences,", the words "Horticulture and Agricultural Engineering," shall be substituted,

(2) in sub-section (3),—

(a) in clause (a), after the words "which shall", the words "meet at least twice a year and shall" shall be inserted,

(b) in clause (b), after the words "The Head of the Department", the words "shall hold office as such for a term of four years and" shall be inserted,

(3) after sub-section (3A), the following sub-sections shall be inserted —

"(3B) (a) There shall be a Departmental Committee which shall consist of the following —

(i) the Head of the Department,

(ii) all Professors;

(iii) two Readers,

(iv) two Lecturers of the main campus,

(v) one representative of outside campus.

(b) The Head of the Department shall be the Chairman of the Departmental Committee

(c) The Departmental Committee shall advise the Head of the Department and shall act on behalf of the Board of Studies for regular departmental activities

(3C) (a) There shall be a Campus Management Committee which shall consist of the following.—

(i) the Head of the campus;

(ii) the Associate Dean,

(iii) the Associate Director of Research,

(iv) all Professors, if any;

(v) two Readers,

(vi) two Lecturers,

(vii) one member of the non-teaching staff,

(viii) the person in charge of students' welfare.

(b) The Head of the campus shall be the Chairman of the Campus Management Committee

(c) The Campus Management Committee shall advise the Head of the Campus

(3D) (a) There shall be a Station Management Committee which shall consist of the following.—

(i) the Head of the station,

(ii) all Professors, if any,

(iii) two Readers,

(iv) two Lecturers,

(v) one member of the non-teaching staff

The Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1996.

(Sections 9-11.)

(b) The Head of the station shall be the Chairman of the Station Management Committee.

(c) The Station Management Committee shall advise the Head of the station.".

Amendment of section 14A.

9. In sub-section (1) of section 14A of the principal Act,—

(1) clause (iv) shall be omitted;

(2) after clause (vi), the following clauses shall be inserted:—

"(via) the Deans of the Faculty Councils for Post-graduate and Undergraduate Studies;

(vib) the Director of Research;

(vic) the Director of Extension;

(vid) the Director of Farms;

(vie) the Registrar;".

Amendment of section 18.

10. In section 18 of the principal Act, after clause (9), the following clause shall be inserted:—

"(9A) the Director of Farms,".

Amendment of section 26.

11. For sub-section (4) of section 26 of the principal Act, the following sub-section shall be substituted:—

"(4) The Dean shall hold office for a term of four years.".

CALCUTTA,
The 1st February, 1996.

K. V. RAGHUNATHA REDDY,
Governor of West Bengal.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-10

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

MAGHA 17] TUESDAY, FEBRUARY 6, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 230-L.—6th February, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 6 of 1996

THE NORTH BENGAL UNIVERSITY (AMENDMENT) BILL, 1996.

A
BILL

to amend the North Bengal University Act, 1981.

WHEREAS it is expedient to amend the North Bengal University Act, 1981, for the purpose and in the manner hereinafter appearing; West Ben. Act XXV of 1981.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the North Bengal University (Amendment) Act, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

The North Bengal University (Amendment) Bill, 1996.

(Clause 2.)

Amendment of section 26 of West Ben Act XXV of 1981

2. In section 26 of the North Bengal University Act, 1981,—

(1) for sub-section (1), the following sub-section shall be substituted:—

"(1) (a) There shall be a Dean for each of the Faculty Council for post-graduate studies in Arts, Commerce and Law and the Faculty Council for post-graduate studies in Science, who shall be a Professor of the University

(b) There shall be a Dean for the Faculty Council for post-graduate studies in Medicine, who shall be a Professor of the University: Provided that if there is no such Professor, the Dean shall be a Professor of the North Bengal Medical College";

(2) for sub-section (2), the following sub-section shall be substituted:—

"(2) The Dean shall be elected by the members of the Faculty Council and shall act as Vice-Chairman of the Faculty Council".

STATEMENT OF OBJECTS AND REASONS.

Consequent upon the amendment of section 26 of the North Bengal University Act, 1981 (West Ben. Act XXV of 1981) (hereinafter referred to as the principal Act), by the North Bengal University (Amendment) Act, 1993 (West Ben. Act VIII of 1993), certain anomalies have arisen in so far as the provisions relating to Dean are concerned Sub-section (1) of section 26 of the principal Act provided for a Dean in all the Faculty Councils for Post-Graduate Studies. The amendment provided for a common Dean for the Faculty Councils for Post-Graduate studies in Science and Medicine. The amendment of sub-section (1) of section 26 of the principal Act was immediately followed by the amendment of sub-section (2) of that section, providing for joint electorate for the election of the common Dean as aforesaid. Obviously, therefore, such provision also proves to be anomalous.

2. To remove such anomalies, it is necessary to amend section 26 of the principal Act suitably.

3. The Bill has been framed with the above object in view.

CALCUTTA,
The 19th January, 1996

SATYA SADHAN CHAKRABORTY,
Member-in-charge.

FINANCIAL MEMORANDUM.

No additional financial implication is involved in the Bill.

CALCUTTA,
The 19th January, 1996.

SATYA SADHAN CHAKRABORTY,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No. WB(Part-IV)/96/SAR-8

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

MAGHA 17] TUESDAY, FRBRUARY 6, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 231-L.—6th February, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 7 of 1996

THE WEST BENGAL FIRE SERVICES (AMENDMENT) BILL, 1996.

A BILL

to amend the West Bengal Fire Services Act, 1950.

WHEREAS it is expedient to amend the West Bengal Fire Services Act, 1950, for the purposes and in the manner hereinafter appearing; West Ben. Act XVIII of 1950.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the West Bengal Fire Services (Amendment) Act, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of section 2 of West Ben. Act XVIII of 1950.

2. In section 2 of the West Bengal Fire Services Act, 1950 (hereinafter referred to as the principal Act),—

(1) for clause (a), the following clauses shall be substituted:—

'(a) the expression "building" has the same meaning as assigned to it in the relevant municipal law in force in a local area;

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clause 2.)

(aa) the expression "building rules" means the building rules, building regulations, or building bye-laws, made under the relevant municipal law and in force in a local area, and includes any other building rules or regulations, or any development control rules or regulations, by whatever name called, made under any other law for the time being in force and in force in any local area;';

(2) clause (d) shall be omitted;

(3) after clause (e), the following clause shall be inserted:—

'(ee) "District Magistrate" means the Executive Magistrate appointed to be the District Magistrate under sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, and includes an Additional District Magistrate;'; 2 of 1974.

(4) in clause (f), the words, figure and letter "and includes an Auxiliary Fire Brigade raised under section 3A" shall be omitted;

(5) after clause (g), the following clause shall be inserted:—

'(gg) the expression "fire prevention and fire safety measures" means such measures as may be provided in the building rules or in any other law for the time being in force, or as may be prescribed, for the prevention, control and fighting of fire and for ensuring the safety of life and property in the case of fire;';

(6) for clause (h), the following clauses shall be substituted:—

'(h) "hazardous substance" means—

(i) such explosive within the meaning of the Indian Explosives Act, 1884, or 4 of 1884.

(ii) such explosive substance within the meaning of the Explosive Substances Act, 1908, or 6 of 1908.

(iii) such dangerously inflammable substance within the meaning of the Inflammable Substances Act, 1952, or 20 of 1952.

(iv) such combustible substance, or

(v) such toxic substance,

as the State Government may, by notification, specify;

(ha) "high-rise building" means a building the height of which is fourteen and a half metres or more.

Explanation.—For the purposes of this Act, the height in relation to a building shall mean the vertical distance measured from the average level of the centre line of the street or passage to which the plot of land on which the building is situated abuts to the highest point of the building, whether with flat roof or with sloped roof;

(hb) "high-risk building" means a high-rise building or a building with such occupancy within the meaning of the relevant municipal law in force in a local area, or such other occupancy, or such building, or such class or classes of buildings, as the State Government may, by notification, specify;

(hc) "licensed agency" means a person or association of persons to whom a licence has been granted by the Director in the manner prescribed for undertaking or executing fire prevention and fire safety measure or for performing such other related activities required to be carried out under this Act in such area as may be specified by the Director;';

(7) in clause (hh), after the words "local authority has jurisdiction", the words "or any other area defined by boundaries for the purposes of this Act" shall be inserted;

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clause 3.)

(8) after clause (hh), the following clause shall be inserted:—

'(hhh) "local authority" means a municipal authority or Industrial Township Authority within the meaning of the relevant municipal law or a *Gram Panchayat, Panchayat Samiti, Zilla Parishad,* or *Mahakuma Parishad*, constituted under the West Bengal *Panchayat* Act, 1973;'; West Ben. Act XLI of 1973.

(9) clause (i) shall be omitted;

(10) after clause (ia), the following clauses shall be inserted:—

'(ib) "nominated authority" means an officer, not below the rank of station officer, as may be nominated by the Director, or such officer as may be nominated by the State Government;

(ic) "notification" means a notification published in the *Official Gazette*;

(id) "occupier" means a person living in, or otherwise using, any land or building owned by him, or a person who, for the time being, is paying, or is liable to pay, to the owner the rent or fee, or is making, or is liable to make, contractual payment to the owner for adjustment of rent or fee, or damages, or any portion thereof, on account of occupation of any land or building, and includes a rent-free tenant;

(ie) "owner" means a person who, for the time being, is receiving the rent of any land or building or any part of any land or building, either on his own account or as an agent of a person, or trustee for a society for any religious or charitable purpose, or as a receiver who would receive such rent if the land or the building or any part thereof were let to a tenant;';

(11) for clause (*l*), the following clauses shall be substituted:—

'(*l*) "premises" means a land or building or hut or part of a land or building or hut, and includes—

(i) the garden, ground or out-house, if any, appertaining thereto; or

(ii) any fittings or fixtures affixed to a building or hut or part of a building or hut for the more beneficial enjoyment thereof;

(*la*) "processing" means making, altering, repairing, treating or otherwise dealing with any article by means of steam, electricity or other power;

(*lb*) "the relevant municipal law" means—

(i) the Howrah Municipal Corporation Act, 1980, or West Ben. Act LVIII of 1980.

(ii) the Calcutta Municipal Corporation Act, 1980, or West Ben. Act LIX of 1980.

(iii) the Siliguri Municipal Corporation Act, 1990, or West Ben. Act XXX of 1990.

(iv) the Asansol Municipal Corporation Act, 1990, or West Ben. Act XXXI of 1990.

(v) the Chandernagore Municipal Corporation Act, 1990, or West Ben. Act XXXII of 1990.

(vi) the West Bengal Municipal Act, 1993; West Ben. Act XXII of 1993.

(*lc*) "requisition for fire safety" means the statement showing the requirements of fire prevention and fire safety measures to be provided in a premises;

(*ld*) "superior nominated authority" means such officer, not below the rank of Divisional Fire Officer, as may be nominated by the Director, or such officer as may be nominated by the State Government.';

(12) clause (m) and the *Explanation* thereto shall be omitted.

Amendment of section 3.

3. In section 3 of the principal Act,—

(a) in sub-section (1),—

(i) for the words "for service in the local or other areas", the words "for the purposes of extinguishing fire and protecting life and property in the case of fire and for rescue services and such other services as the State Government may, by notification, specify, in the local area or any other area" shall be substituted, and

(ii) for the words "for service therein.", the words "for such purposes or services." shall be substituted;

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clauses 4-10.)

(b) in sub-section (2), after the words "and shall be otherwise constituted in such manner", the words ", and shall consist of such organisational set up," shall be inserted.

Substitution of new section for section 3A.

4. For section 3A of the principal Act, the following section shall be substituted:—

"Auxiliary fire brigade

3A. The State Government may allow raising of an auxiliary fire brigade for the purposes of extinguishing fire and protecting life and property in the case of fire and for such other services as may be determined by the State Government in any local area or any other area in which this Act is not in force, by the local authority for that area, or any organisation or institution, on such terms and conditions as may be determined by the State Government, and may provide such assistance as may be necessary for raising of such fire brigade and allow enrolment of volunteers and other persons as members of such fire brigade on such terms and conditions as the local authority, with the prior approval of the State Government, may determine.".

Insertion of new section 3B.

5. After section 3AA, the following section shall be inserted:—

"Powers of members of auxiliary fire brigade

3B. The members of the auxiliary fire brigade raised under section 3A may be given such of the powers exercised by the members of the fire brigade employed in the West Bengal Fire Service as the State Government may determine.".

Amendment of section 4

6. In section 4 of the principal Act,—

(a) after the words "make such general or special orders", the words "and make such rules," shall be inserted;

(b) after the words "who may infringe orders", the words "or for giving awards to any member of the fire brigade, whose performance is commendable" shall be inserted;

(c) after the words "powers, duties and functions of the Director", the words "and the other members of the fire brigade" shall be inserted;

(d) after the words "in a due state of efficiency", the words ", for recruitment against various categories of posts under the fire brigade and for regulating the terms and conditions of service of the members of the fire brigade" shall be inserted.

Amendment of section 4A

7. In sub-section (1) of section 4A of the principal Act,—

(a) for the words "the limits of any area", the words "its jurisdiction to an area" shall be substituted, and

(b) for the words "in a warehouse or a workshop in the neighbourhood of such limits, the occupier of the warehouse or the workshop", the words, figures and letter "in a premises, which otherwise would have required a 'Fire Safety Certificate' under section 11C or a license under section 12," shall be substituted.

Omission of section 4B

8. Section 4B of the principal Act shall be omitted.

Omission of section 4C

9. Section 4C of the principal Act shall be omitted.

Amendment of section 5.

10. In sub-section (1) of section 5 of the principal Act,—

(a) in clause (c), for the word "give", the word "ensure" shall be substituted;

(b) in clause (d), for the words "such powers; and", the words "such powers;" shall be substituted;

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clauses 11-14.)

(c) after clause (e), the following clauses shall be inserted:—

"(f) require an electric supply company or a gas supply company to disconnect supplies and to remain as stand-by for duty until the fire is fully extinguished;

(g) require the Calcutta Tramways Company (1978) Limited or a Railway company, telecom company or electric company to remove overhead lines to facilitate movement of fire-fighting appliances during fire-fighting operations;

(h) require the local authoritites to give prior notice about blocking of roads within the local area so that routing of fire appliances may be planned; and

(i) require telecom companies to assist in tracing and recording fire calls.".

Substitution of new section for section 5A.

11. For section 5A of the principal Act, the following section shall be substituted:—

"Local authority or other agency to secure supply of water

5A. The local authority or any other agency responsible for water supply in an area or owning a source of water or reservoir, shall secure adequate supply of water to the members of the fire brigade or the auxiliary fire brigade raised under section 3A for fire fighting operations on no-charge basis, and shall ensure that such supplies are available at all material times for such purpose.".

Substitution of new section for section 5B.

12. For section 5B of the principal Act, the following section shall be substituted:—

"Person or authority to provide all assistance to deal with fire and rescue service

5B. The Director or the superior nominated authority may require any person or authority maintaining any fire-fighting arrangements to provide all assistance to deal with fire or rescue service:".

Amendment of section 5C

13. In section 5C of the principal Act,—

(a) for the words "is proceeding", the word "proceeds" shall be substituted,

(b) for the words "and using", the words "sounding its" shall be substituted, and

(c) for the words "not being", the words "other than" shall be substituted.

Insertion of new sections 5D and 5E

14. After section 5C of the principal Act, the following sections shall be inserted:—

"Penalty for malicious call to summon fire brigade

5D. Any person who makes a malicious call to summon the fire brigade to any place where there is no fire or apprehension of fire or need for rescue work, shall be punishable, on conviction, with fine not exceeding fifty thousand rupees or with imprisonment for a term which may extend to six months or with both.

Penalty for causing obstruction to fire brigade to draw water for fire-fighting purposes.

5E. Any person or agency causing obstruction to fire brigade to draw water for fire-fighting purposes from any reservoir or source located in any premises shall be punishable, on conviction, with fine not exceeding fifty thousand rupees or with imprisonment for a term which may extend to six months or with both.".

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clauses 15-17.)

Amendment of section 8.

15. In section 8 of the principal Act,—

(a) in sub-section (1),—

(i) for the word "Magistrate", the words "District Magistrate" shall be substituted,

(ii) for the words "shall have", the word "has" shall be substituted, and

(iii) the words "; and the said Magistrate, in any case where he may deem fit, shall summon witnesses and take evidence in order to the further ascertainment of such facts" shall be omitted;

(b) after sub-section (1), the following sub-section shall be inserted:—

"(1A) The District Magistrate on receiving the report under sub-section (1) may, if he deems fit, cause, either by himself or by any other Magistrate not below the rank of Sub-Divisional Magistrate, an enquiry, summon witnesses and take evidence about the cause of fire and effectiveness of the fire-fighting operations and recommend actions as may be required to be taken to prevent recurrence of similar fire incidents. The District Magistrate shall submit his findings along with his recommendations to the State Government under intimation to the Director. The Director shall take such measures as he may deem fit and necessary on the basis of the said findings and recommendations, and inform the State Government accordingly:

Provided that the State Government may require any fire incident to be enquired into by a committee specially constituted for the purpose in addition to, or in place of, the enquiry as aforesaid.";

(c) for sub-section (2), the following sub-section shall be substituted:—

"(2) Copies of the report referred to in sub-section (1) may be furnished by the District Magistrate to a fire assurance company or other person interested, on payment of such fees and in such manner as may be prescribed.".

Amendment of section 10.

16. In section 10 of the principal Act,—

(a) after sub-section (1), the following sub-section shall be inserted:—

"(1A) The Collector shall grant or refuse a licence under section 9 on the basis of a report from the Director or the nominated authority.";

(b) in sub-section (2),—

(i) in clause (a), for the words "one rupee.", the words "such as may be prescribed." shall be substituted,

(ii) in clause (b), for the words "fifteen rupees", the words "such as may be prescribed and shall be" shall be substituted.

Insertion of new Chapter IIIA.

17. After Chapter III of the principal Act, the following Chapter shall be inserted:—

"CHAPTER IIIA

Fire Prevention and Fire Safety

General public to take preventive measures for safety from fire etc.

11A. Subject to the provisions of the relevant municipal law, a local authority may require the general public residing in an area within its jurisdiction to take such preventive measures as may be required for safety from fire and other similar hazards.

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clause 17.)

Owner or occupier of building to make or carry out arrangements necessary for fire prevention etc.

11B. Subject to the provisions of the relevant municipal law and the building rules in force and in consultation with the Director, a local authority may, by general or special order, require the owner or occupier of any building of any or all categories to make or carry out such arrangements as may be necessary for fire prevention and fire safety in that area.

Owner or occupier of high-risk building to provide fire prevention and fire safety measures.

11C. (1) The owner or, where the owner is not traceable, the occupier of a high-risk building or part thereof shall provide fire prevention and fire safety measures in such building or part thereof and the occupier shall maintain the fire prevention and fire safety measures in good repair and in efficient condition at all times in accordance with the provisions of this Chapter or the rules made thereunder:

Provided that in the case of such building or part thereof, the construction of which has been completed on any date before the date on which this Chapter comes into force, the occupier and, in the case of such building or part thereof which is under construction on the date immediately before the date on which this Chapter comes into force, the owner shall undertake and carry out such additional fire prevention and fire safety measures as are specified in the notice served on him under section 35.

(2) The owner or occupier of a high-risk building, as the case may be, shall furnish to the Director or the nominated authority a 'Fire Safety Certificate' in the prescribed form issued by a licensed agency in the manner prescribed.

(3) The State Government may require compulsory endorsement of 'Fire Safety Certificate' by the Director or by a superior nominated authority in respect of any class or classes of high-risk buildings as may be notified by the State Government from time to time:

Provided that the Director or a superior nominated authority shall not endorse any 'Fire Safety Certificate' unless he or it is satisfied about the fire prevention and fire safety measures including safety of electrical installations and provision of supply of adequate quantity of water for fighting purposes made by the owner or occupier of such building.

(4) The occupiers of all high-risk buildings shall carry out a mock fire drill involving the watch and ward staff of such buildings every year under intimation to the Director or the nominated authority in such manner as may be prescribed and a certificate of performance of such drill shall be furnished to the Director or the nominated authority, as the case may be.

(5) No person shall tamper with, or alter, or remove, or cause any injury or damage to, any fire prevention or fire safety equipment installed in any such building or part thereof or instigate any other person to do so.

'No objection' required under any other law.

11D. A fire safety certificate duly endorsed under sub-section (3) of section 11C shall be the 'no objection' regarding fire prevention and fire safety measures for a building or installation under the Indian Explosives Act, 1884, or the Explosive Substances Act, 1908, or the Petroleum Act, 1934, or the Inflammable Substances Act, 1952, or the Cinematograph Act, 1952, or the rules made thereunder, or under any other law for the time being in force, as required from the Director.

4 of 1884.
6 of 1908.
30 of 1934.
20 of 1952.
37 of 1952.

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clause 17.)

Special fee.

11E. (1) With effect from such date as the State Government may, by notification, appoint in this behalf, there shall be levied a special fee for the purposes of this Act on the owners of such class or classes of high-risk buildings within a local area in which this Act is in force as may be prescribed:

Provided that no special fee shall be levied on any such building or part thereof, which by virtue of its being used for any of the purposes referred to in section 12, requires a licence under that section.

(2) (a) The State Government shall prescribe by rules the rate of special fee for different classes of high-risk buildings on the basis of the total floor area of all the floors of a building as shown in the approved building plan:

Provided that the rate of such special fee may be different for different local areas.

(b) The manner of imposition, assessment and collection of such special fee shall be such as may be prescribed.

(3) The special fee referred to in sub-section (1) shall be payable by the owner of a high-risk building at the time of submission of application to a local authority for approval of the building plan under the building rules:

Provided that in the case of every high-risk building referred to in sub-section (1), the construction of which has been completed on any date before the date of coming into force of this Chapter or, in the case of any such building the construction of which has been completed on or after the date of coming into force of this Chapter, the special fee, unless it has already been paid in accordance with the provisions of any other law in force on the date immediately before the date appointed under sub-section (1), shall be payable,—

(a) in the former case, by the owner or, if the owner is not traceable, the occupier, and

(b) in the latter case, by the owner,

of the building within three months from the date of receipt by the owner or occupier, as the case may be, of the notice of demand in this behalf.

(4) The State Government may also levy annually a further special fee referred to in sub-section (1) with a view to defraying the expenses for regular checking and inspection and other incidental expenses so as to require and cause the occupier of a high-risk building to keep the necessary installations in fit condition, and such special fee shall be payable by the occupier, in the case of a building existing on the date immediately before the date appointed under sub-section (1), from the date appointed under sub-section (1), and, in the case of a building the construction of which has been completed on or after the date appointed under sub-section (1), from the date of occupancy of the building as may be certified by the local authority, and in advance annually at the time of submission of the 'Fire Safety Certificate' under sub-section (2) of section 11C:

Provided that the liability of the occupier to pay the special fee under this sub-section shall be only to the extent of the special fee payable in respect of the floor area of the building under his occupation including his share of the area comprising common facilities in such building or part thereof.

Explanation.—Notwithstanding anything contained elsewhere in this Act, for the purposes of this section and section 11C, "owner" shall include a promoter as defined in the West Bengal Building (Regulation of Promotion of Construction and Transfer by Promoters) Act, 1993, or a co-operative society, or a company or an owner of an apartment as defined in the West Bengal Apartment Ownership Act, 1972.

West Ben. Act XX of 1993.

West Ben. Act XVI of 1972.

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clause 18.)

Grant of license to act as licensed agency.

11F. (1) The Director may, from time to time and in accordance with such qualifications, experience or other matter in this behalf as may be prescribed in respect of such classes of buildings as may be prescribed, grant any person or association of persons, a license to act as licensed agency for the purposes of this Act.

(2) Every such license shall be renewed every three years.

(3) The State Government may, from time to time, prescribe a scale of fee for licensed agencies in respect of any class of building, if there is no written contract in this behalf to the contrary.

(4) Where the Director has reason to believe that any person to whom a license has been granted under sub-section (1) has contravened any provisions of this Act or the rules made thereunder or has failed to comply with the conditions of the license or is unfit to hold the license by reason of incompetence, misconduct or any other reasons, the Director may, after giving the person a reasonable opportunity to show cause, suspend or cancel the license, after recording the reasons in writing.

Bar to carry out work of providing fire prevention etc.

11G. No person, other than a licensed agency, shall carry out, in the manner prescribed, the work of providing fire prevention and fire safety measures or performing such other related activities required to be carried out in any high-risk building or part thereof under this Act.

Bar to compromise fire safety.

11H. Where the wilful default on the part of a licensed agency in respect of fire safety of any building or premises is compromised, such licensed agency shall be liable to criminal prosecution and, in the event of any fire accident in such building or premises, shall make good all damages on account of such fire accident.

Appeal against order of Director.

11I. (1) Any person aggrieved by an order of the Director under this Chapter may, within thirty days of the service of the order, prefer an appeal to such authority as may be prescribed.

(2) The manner in which an appeal shall be filed and the manner of deciding the appeal shall be such as may be prescribed.

Penalty for contravention of provisions of Chapter IIIA.

11J. Whoever contravenes any provision of Chapter IIIA or the rules made thereunder or fails to comply with any requisition lawfully made to him under any provision of Chapter IIIA or the rules made thereunder shall, without prejudice to any other action that may be taken against him under section 36 or section 37, be punishable with imprisonment for a term of three years which may extend to five years or with fine of twenty thousand rupees which may extend to five lakh rupees or with both and, where the offence is a continuing one, with a further fine of one thousand rupees which may extend to ten thousand rupees for every day during which such offence continues after the conviction for the first such offence.

Penalty for furnishing false 'Fire Safety Certificate'.

11K. Any person associated with a licensed agency for any of the purposes of Chapter IIIA, who knowingly furnishes a false 'Fire Safety Certificate', shall be punishable with imprisonment for a term of three years which may extend to five years or with fine of twenty thousand rupees which may extend to five lakh rupees or with both.".

Amendment of heading in Chapter IV.

18. In Chapter IV of the principal Act, for the heading "Licensed Warehouses or Workshops.", the heading "License for Storing Hazardous Substances." shall be substituted.

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clauses 19-22.)

Substitution of new section for section 12.

19. For section 12 of the principal Act, the following section shall be substituted:—

"Bar to use of premises for storing or processing hazardous substances without license.

12. No premises in any area where this Act is in force shall be used for the purpose of storing or processing at any material point of time hazardous substances beyond such quantity as may be prescribed unless the owner or occupier thereof shall have previously been granted a license by the Collector.".

Substitution of new section for section 13.

20. For section 13 of the principal Act, the following section shall be substituted:—

"Premises to conform to prescribed conditions

13. No license to use any premises for the purpose referred to in section 12 shall be granted unless such premises conforms to such conditions as may be prescribed.".

Substitution of new section for section 14.

21. For section 14 of the principal Act, the following section shall be substituted:—

"Issue of license

14. An application for license referred to in section 12 shall be made to the Collector in the prescribed form along with an authenticated copy of the requisition for fire safety issued by a licensed agency and duly endorsed, in such manner as may be prescribed, by the Director or superior nominated authority, and such other documents as may be prescribed. The Collector shall, on scrutiny of the application, the requisition for fire safety and other documents, compute the annual fee payable by the applicant and shall, on payment of such fee in advance, issue the licence to the applicant on such terms and conditions as may be prescribed:

Provided that any owner or occupier of any premises which requires a license under section 12 and who holds a valid license under this Act on the day immediately before the date of coming into force of the West Bengal Fire Services (Amendment) Act, 1996, shall not be required to apply for a license but shall, at the time of renewal, make an application for a fresh license under this Act:

Provided further that where any owner or occupier of any premises which requires a license under section 12 has made an application for a license under this Act before the coming into force of the West Bengal Fire Services (Amendment) Act, 1996, but has not been granted a license till the date immediately before the date of coming into force of that Act, such owner or occupier shall be required to make an application for such license in accordance with the provisions of this Act.".

Amendment of section 15.

22. In section 15 of the principal Act,—

(a) for the marginal note, the following marginal note shall be substituted:—

"Conditions of grant of license.";

(b) for sub-section (1), the following sub-section shall be substituted:—

"(1) Non-fulfilment of any fire prevention and fire safety measures as may be referred to in the 'Fire Safety Certificate' shall be a breach of a condition of license.";

(c) for sub-section (2), the following sub-section shall be substituted:—

"(2) Every license granted under section 12 shall be required to be renewed annually; application for renewal of license along with duly endorsed 'Fire Safety Certificate' and such other documents as may be prescribed shall be made to the Collector, who shall renew the license on such scrutiny as he may consider necessary and on payment of the prescribed annual fees:

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clauses 23-25.)

Provided that if an applicant so desires, he may renew the license for three years at a time on payment of the prescribed fees.";

(d) for sub-section (3), the following sub-section shall be substituted:—

"(3) The annual fee shall be payable in advance in respect of the period commencing from the date from which the premises is used for the purpose referred to in section 12 in the case of new license, and from the date following the date of expiry of the license in the case of the renewal of license.";

(e) in sub-section (4),—

(i) for the words, figures and brackets "sub-section (1) or sub-section (3),", the word and figures "section 14," shall be substituted;

(ii) for the words "building or place", the word "premises" shall be substituted;

(iii) for the words "used as a warehouse or workshop is in the public interest", the words and figures "used for the purpose referred to in section 12 is" shall be substituted;

(f) in sub-section (5),—

(i) for the word "from", the word "against" shall be substituted, and

(ii) in the proviso, for the words "a court-fee stamp of one rupee.", the words "such court-fee stamp as may be prescribed." shall be substituted.

Amendment of section 16.

23. In section 16 of the principal Act,—

(a) the words and figures "or under section 15" shall be omitted,

(b) for the word "thirty" in the two places where it occurs, the word "sixty" shall be substituted, and

(c) for the words "for the use as a warehouse or as a workshop of the building or place in respect of which the application was made,", the words and figures "for the use of the premises for the purposes referred to in section 12," shall be substituted.

Omission of section 17.

24. Section 17 of the principal Act shall be omitted.

Substitution of new section for section 18.

25. For section 18 of the principal Act, the following section shall be substituted:—

"Annual fee.

18. (1) The annual fee for any premises, which requires a license under section 12, shall be such as may be prescribed:

Provided that the State Government may by rules prescribe different rates of annual fee for different hazardous substances and for different local areas.

(2) A rebate in annual fee at such rate as may be determined by the State Government shall be allowed in the prescribed manner in respect of the premises where the owner or occupier maintains his own fire services, employing qualified and full-time fire personnel supported by adequate fire-fighting appliances:

Provided that a monthly return of the fire-fighting appliances, fire personnel and such other details as may be prescribed shall be furnished to the Director or the superior nominated authority and such fire services shall be subject to inspection by the Director or the superior nominated authority:

Provided further that in case the fire cover provided is found to be inadequate, such rebate may be withdrawn and the annual fee for the period commencing from the date on which the fire cover became inadequate, may be required to be paid.".

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clauses 26-32.)

Amendment of section 19.

26. In section 19 of the principal Act,—

(a) the words "and so often as" shall be omitted,

(b) for the words "warehouse or workshop" in the two places where they occur, the words and figures "premises requiring a license under section 12" shall be substituted,

(c) for the words "a fee of ten rupees;", the words "such fee as may be prescribed;" shall be substituted, and

(d) for the words "for the name of the last occupier.", the words "in lieu of the name of the previous occupier." shall be substituted.

Substitution of new section for section 20.

27. For section 20 of the principal Act, the following section shall be substituted:—

"Suspension or withdrawal of license.

20. A license issued under section 14 may, without prejudice to any other action that may be taken aginst the licensee, be suspended or withdrawn by the Collector after giving the licensee an opportunity of being heard, if, in the opinion of the Collector, it is necessary to do so in the public interest or if there has been a breach of any prescribed condition.".

Omission of section 21.

28. Section 21 of the principal Act shall be omitted.

Amendment of section 22.

29. In section 22 of the principal Act, after the words "any officer or officers", the words " , not below the rank of Sub-Divisional Officer," shall be inserted.

Amendment of section 23.

30. In sub-section (1) of section 23 of the principal Act,—

(a) for the words "performed also by—", the words "performed also by such other officer or officers as may be specified therein." shall be substituted;

(b) clauses (a), (b), (c) and (d) shall be omitted;

(c) sub-section (2) and sub-section (3) shall be omitted.

Amendment of section 23A.

31. In section 23A of the principal Act,—

(a) in sub-section (1),—

(i) after the words "other like material", the words "in an area where this Act is in force" shall be inserted,

(ii) after the words "shall apply to the Director", the words "or the superior nominated authority along with the prescribed fees" shall be inserted, and

(iii) the following proviso shall be added at the end:—

"Provided that the State Government may prescribe by rules the essential requirements of a 'Fire Safety Certificate' in respect of any class or classes of temporary structures or pandals.";

(b) in clause (b) of sub-section (2), after the words "permission of the Director", the words "or the superior nominated authority" shall be inserted.

Substitution of new section for section 23B.

32. For section 23B of the principal Act, the following section shall be substituted:—

"Dismantling of temporary structure or pandal.

23B. The Director or the superior nominated authority with the assistance of the local authority and under police protection shall dismantle a temporary structure or pandal erected in contravention of the provisions of sub-section (1), and the cost of such dismantling shall be charged to the person who so erects the temporary structure or pandal, as the case may be.".

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clauses 33-42.)

Amendment of section 23C.

33. In section 23C of the principal Act,—
(a) the words "before a Magistrate" shall be omitted, and
(b) for the words "one hundred", the words "two thousand" shall be substituted.

Amendment of section 24

34. In section 24 of the principal Act,—
(a) the words "before a Magistrate" shall be omitted, and
(b) for the words "one hundred", the words "five thousand" shall be substituted.

Amendment of section 25

35. In section 25 of the principal Act,—
(a) the words "before a Magistrate" shall be omitted, and
(b) for the words "one hundred", the words "five thousand" shall be substituted.

Amendment of section 26.

36. In section 26 of the principal Act,—
(a) for the words "building or place as a warehouse or as a workshop", the words and figures "premises for the purpose referred to in section 12" shall be substituted,
(b) the words "before a Magistrate" shall be omitted, and
(c) for the words "warehouse or workshop.", the word "premises." shall be substituted.

Amendment of section 27.

37. In section 27 of the principal Act,—
(a) for the words "uses any warehouse or workshop", the words and figures ", for the purpose referred to in section 12, uses any premises" shall be substituted,
(b) the words "before a Magistrate" shall be omitted, and
(c) for the words "warehouse or workshop.", the word "premises." shall be substituted.

Amendment of section 28.

38. In section 28 of the principal Act,—
(a) for the words "warehouse or workshop", the word "premises" shall be substituted, and
(b) the words "before a Magistrate" shall be omitted.

Amendment of section 29

39. In section 29 of the principal Act,—
(a) the words "and so often as" shall be omitted,
(b) for the words "any warehouse or workshop,", the words and figures "any premises referred to in section 12," shall be substituted,
(c) the words "before a Magistrate" shall be omitted,
(d) for the word "twenty", the words "five thousand" shall be substituted, and
(e) for the words "such warehouse or workshop.", the words "such premises." shall be substituted.

Omission of section 30.

40. Section 30 of the principal Act shall be omitted.

Omission of section 31.

41. Section 31 of the principal Act shall be omitted.

Substitution of new section for section 32.

42. For section 32 of the principal Act, the following section shall be substituted:—

"Owner or occupier of building or premises to compensate person affected by fire

32. Whenever on enquiry into an incident of fire by the District Magistrate or by the committee specially constituted by the State Government under sub-section (1A) of section 8 it is established that the incident of fire was due to wilful default or negligence on the part of the owner or occupier of any building or premises, such owner or occupier

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clauses 43-47.)

shall be liable to compensate every person affected by such fire for the loss sustained by him in addition to his being liable to criminal prosecution.".

Substitution of new section for section 33.

43. For section 33 of the principal Act, the following section shall be substituted:—

'Offences by companies.

33. (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) "company" means a body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.'.

Amendment of section 33A.

44. In section 33A of the principal Act,—

(a) the words "before a Magistrate" shall be omitted,

(b) for the words "one thousand", the words "fifty thousand" shall be substituted, and

(c) for the words "one hundred", the words "three thousand" shall be substituted.

Amendment of section 33B.

45. In section 33B of the principal Act,—

(a) the words "before a Magistrate" shall be omitted, and

(b) for the words "one hundred", the words "five thousand" shall be substituted.

Amendment of section 33C.

46. In section 33C of the principal Act, the words, figures and letter ", except where punishable under section 23B," shall be omitted.

Substitution of new section for section 34.

47. For section 34 of the principal Act, the following section shall be substituted:—

'Inspection of building or premises

34. (1) The Director or the nominated authority may enter and inspect any building or part thereof or any premises at any time between sunrise and sunset where such inspection appears necessary for ascertaining the contravention, if any, of fire prevention and fire safety measures referred to in section 11C and of the conditions referred to in section 13:

Provided that the Director or the nominated authority may enter into and inspect any such building or part thereof or premises at any time if it appears to him or it to be expedient and necessary to do so in order to ensure safety of life and property.

(2) The Director or the nominated authority, as the case may be, shall be provided with all possible assistance by the owner or occupier, as the case may be, of such building or part thereof or premises for carrying out the inspection under sub-section (1).

(3) When any such building or part thereof or premises used as a human dwelling is entered under sub-section (1), due regard shall be paid to the social and religious sentiments of the occupiers; and before any flat or part of such building or premises in the actual occupancy of any woman who, according to the custom, does not appear

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clauses 48-51.)

in public, is entered under sub-section (1), notice shall be given to her that she is at liberty to withdraw, and every reasonable facility shall be afforded to her for withdrawing.

(4) Where the inspection is carried out by the nominated authority under the foregoing provisions of this section, it shall give a report of any such inspection to the Director or the superior nominated authority.

Explanation.—For the purposes of this section, "flat" shall have the meaning assigned to it in the West Bengal (Regulation of Promotion of Construction and Transfer by Promoters) Act, 1993.'. West Ben. Act XX of 1993.

Substitution of new section for section 35.

48. For section 35 of the principal Act, the following section shall be substituted:—

"Issue of notice to owner oroccupier to undertake fire prevention and fire safety measures.

35. The Director or the superior nominated authority, as the case may be, shall, after completion of the inspection of the building or part thereof or the premises referred to in section 34, record his or its views on the deviations from, or contravention of, the requirements with regard to the fire prevention and fire safety measures or the inadequacy of, or non-compliance with, such measures provided or to be provided therein with reference to the structure of the building or the premises or the nature of activities carried on in such building or part thereof or premises and issue a notice to the owner or occupier of such building or part thereof or premises directing him to undertake such measures, and within such time, as may be specified in the notice. Where the owner is not available, the occupier shall undertake such measures in the interest of public safety, notwithstanding anything contained in any other law for the time being in force.".

Substitution of new section for section 36.

49. For section 36 of the principal Act, the following section shall be substituted:—

"Compliance with notice issued under section 35.

36. (1) The Director may, in the event of non-compliance with any notice issued under section 35, take such steps as may be necessary for the compliance with such notice.

(2) All expenses incurred by the Director in relation to any steps taken by him under sub-section (1) shall be payable, on demand, by the owner or occupier on whom such notice is served, and shall, if not paid within 30 days of such demand, be recoverable under the Bengal Public Demands Recovery Act, 1913.". Ben. Act III of 1913.

Substitution of new section for section 37.

50. For section 37 of the principal Act, the following section shall be substituted:—

"Recovery of fees.

37. (1) The fees payable under this Act, if not paid within the time provided in this Act or the rules made thereunder, shall be recoverable as a public demand under the Bengal Public Demands Recovery Act, 1913.

(2) The State Government may remit payment of fees in such cases as may be recommended by the Collector.".

Substitution of new section for section 37A.

51. For section 37A of the principal Act, the following section shall be substituted:—

"Director or superior nominated authority to seal building.

37A. (1) If the Director or the superior nominated authority is satisfied that owing to inadequacy of fire prevention and fire safety measures, the condition of any high-risk building or part thereof is in imminent danger to person or property, then, notwithstanding anything contained in this Act or in any other law for the time being in force, he or it shall, by order to be recorded in writing, require the persons in possession or occupation of such building or part thereof to remove themselves forthwith from such building or part thereof.

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clauses 52, 53.)

(2) If an order made by the Director or the superior nominated authority under sub-section (1) is not complied with, the Director or the superior nominated authority, as the case may be, may direct any police officer having jurisdiction to remove such persons from such building or part thereof and such police officer shall comply with such direction.

(3) After the removal of the persons under sub-section (1) or sub-section (2), as the case may be, the Director or the superior nominated authority, as the case may be, shall seal such building or part thereof.

(4) No person shall remove such seal except under a written order made by the Director or the superior nominated authority suo motu or on application by the owner or occupier.

(5) Any person who contravenes the provisions of sub-section (4) shall be punishable with imprisonment for a term of three years which may extend to five years or with fine of twenty thousand rupees which may extend to five lakh rupees or with both.".

Substitution of new section for section 38.

52. For section 38 of the principal Act, the following section shall be substituted:—

"Appeal against order under section 35, section 36 or section 37.

38. (1) Any person aggrieved by an order under section 35, section 36 or section 37, may, within thirty days of the service of the order, prefer an appeal to such authority as may be prescribed for the purpose.

(2) The manner in which an appeal shall be filed and the manner of deciding the appeal shall be such as may be prescribed.".

Insertion of new sections 38A, 38B, 38C, 38D, and 38E.

53. After section 38 of the principal Act, the following sections shall be inserted:—

"Court not to entertain any suit, application or other proceeding.

38A. No Court shall entertain any suit, application or other proceeding in respect of any notice under section 35 or any step taken under section 36 or any refusal to permit removal of seal under sub-section (4) of section 37, and no such notice or step or refusal shall be called in question otherwise than by preferring an appeal as provided in this Act.

Compounding of offences.

38B. (1) The District Magistrate within whose jurisdiction a local area lies, or such other officer as may be prescribed for a local area, may, by general or special order, either before or after the institution of proceedings in this behalf, compound any offence punishable by or under this Act or the rules made thereunder or withdraw from such proceedings.

(2) When an offence has been compounded under sub-section (1), the offender, if in custody, shall be discharged, and no further proceedings shall be taken against him in respect of the offence so compounded.

Court not to take cognizance of offence except on complaint.

38C. Save in the case of cognizable offences under this Act, no court shall take cognizance of an offence under this Act or the rules made thereunder except on the complaint of, or upon the information received from, the Director or any other officer authorised by him in this behalf.

Protection of action taken in good faith.

38D. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

Officers and other employees to be public servants.

38E. Every officer and every other employee acting under the provisions of this Act or the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.". 45 of 1860.

The West Bengal Fire Services (Amendment) Bill, 1996.

(Clauses 54-56.)

Amendment of section 40.

54. In section 40 of the principal Act,—

(a) in sub-section (1), the words "in the *Official Gazette*" shall be omitted;

(b) in sub-section (2),—

(i) clauses (a) and (aaa) shall be omitted;

(ii) for clause (b), the following clause shall be substituted:—

"(b) the annual fee referred to in sub-section (1) of section 18;";

(iii) clause (c) shall be omitted;

(iv) for clause (cc), the following clause shall be substituted:—

"(cc) the manner of allowing rebate in annual fee under sub-section (2) of section 18;";

(v) clause (d) shall be omitted;

(vi) for clause (f), the following clauses shall be substituted:—

"(f) the minimum standards for fire prevention and fire safety measures;

(g) the qualifications, experience or other matter for granting licence to act as licensed agency under section 11F;

(h) the authority to whom appeal shall be preferred, the manner in which appeal shall be filed, and the manner of deciding appeal, under section 38;

(i) any other matter which may be, or is required to be, provided by rules.".

Insertion of new sections 41 and 42.

55. After section 40 of the principal Act, the following sections shall be inserted:—

"Regulation to be approved by State Government.

41. No regulation made by the Director under sub-section (3) of section 3 shall be valid unless it is approved by the State Government.

Act to have over-riding effect.

42. (1) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

(2) Subject to the provisions of sub-section (1), the provisions of this Act shall be in addition to, and, save as otherwise expressly provided in this Act, shall not be in derogation of, the provisions of any relevant municipal law in force in any area in which this Act comes into force.".

Repeal.

56. The West Bengal Fire Services (Amendment) Ordinance, 1996, is hereby repealed. West Ben. Ord. I of 1996.

The West Bengal Fire Services (Amendment) Bill, 1996.

STATEMENT OF OBJECTS AND REASONS.

Fire hazards have increased manifold over the years. In order to tackle the increasing threat of fire hazards, in addition to improving the public fire-fighting arrangements, greater emphasis is to be laid on fire prevention and fire safety of buildings, premises and installations. In the presence of conditions favouring rapid spread of fire, the fire has a tendency to spread rapidly and is out of control by the time the fire brigade is able to reach. Therefore, efforts towards containing a fire in the initial stage itself are important. In this context, the in-built fire-fighting and fire alarm arrangements, means of escape, provision for supply of water for fire-fighting purposes and structural fire safety become relevant. To avoid fire hazards, requirements of electrical safety and regulation on use and/or storage of inflammatory materials are also required to be met strictly. On the basis of the fire hazards, certain buildings are required to be designated as "high-risk" buildings. Existing provisions for ensuring compliance with various fire prevention and fire safety measures under the municipal and other laws, particularly in the high-risk buildings, have been found to be inadequate. In the absence of necessary statutory authority, the fire prevention and enforcement agencies fail to compel the owners of buildings to carry out the necessary measures for preventing fire and its rapid spread. It is also found that the owners of buildings do not provide and maintain the necessary fire safety measures in buildings as required by the building plans approved by local authorities. No specific penalties are provided in the existing municipal laws for the contravention of any fire safety measures, and penalties that are provided are not adequate to effectively curb the violations of the fire prevention measures. The existing procedure for obtaining a fire licence for storing and processing of inflammable substances is cumbersome and time consuming. Such procedure is also required to be simplified. Several operational difficulties are also faced by the fire brigade in effectively combating a fire and for rendering special services.

2. In the circumstances as aforesaid, it is considered expedient to enact a law to make more effective provisions for fire prevention and fire safety measures in high-risk buildings, simplify procedure for obtaining a fire licence, make the fire brigade more effective in fire-fighting operations and remove such other difficulties as have been felt over the years in implementing various provisions of the existing Act.

3. Accordingly, it is necessary to amend the existing Act to provide the following matters:—

(a) designating all high-rise buildings and other classes of buildings, which the State Government specifies on the basis of fire hazard, as high-risk buildings, and providing them with the requisite fire prevention and fire safety measures;

(b) provisions for inspection of such buildings by the Director or by the nominated authority for ascertaining the adequacy or contravention of fire prevention and fire safety measures;

(c) imposition of special fees at rates to be determined by the Government for some classes of high-risk buildings or specific high-risk buildings as may be specified for the purpose of maintaining fire brigade in general and for providing sophisticated equipment and appliances in particular, for the purpose of preventing and extinguishing fire in such buildings;

(d) contravention of any of the provisions related to fire prevention and fire safety to be punishable with imprisonment for a term which may extend to five years or with fine which may extend to five lakh rupees or with both and, in the case of continuing offence, punishment of fine up to ten thousand rupees for every day for which the offence continues;

The West Bengal Fire Services (Amendment) Bill, 1996.

(e) provision for an appeal against a notice or order of the Director, Fire Services, or the nominated authority;

(f) simplification and rationalisation of procedure relating to grant of fire licence for convenience of general public and with the objective of raising revenue;

(g) providing for determination of annual licence fee on ad quantum basis;

(h) enhancement of penalty for breach of conditions of licence and for not obtaining licence, wherever it is require;

(i) removal of difficulties and constraints and rationalisation of provisions relating to constitution and operation of the West Bengal Fire Services; and

(j) other connected or incidental matters.

4. The matter being extremely urgent and the West Bengal Legislative Assembly having not been in session at the material time, an Ordinance, namely, the West Bengal Fire Services (Amendment) Ordinance, 1996 (West Ben. Ord. I of 1996), was promulgated in this behalf.

5. The Bill seeks to replace the said Ordinance by an Act of the Legislative Assembly.

6. There is no financial implication involved in the Bill.

CALCUTTA,
The 6th February, 1996.

ASHOKE BHATTACHARYYA,
Member-in-charge.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-9

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

MAGHA 18] WEDNESDAY, FEBRUARY 7, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 243-L.—7th February, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 8 of 1996

THE WEST BENGAL PRIMARY EDUCATION (AMENDMENT) BILL, 1996.

A

BILL

to amend the West Bengal Primary Education Act, 1973.

WHEREAS it is expedient to amend the West Bengal Primary Education Act, 1973, for the purposes and in the manner hereinafter appearing; West Ben. Act XLIII of 1973.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the West Bengal Primary Education (Amendment) Act, 1996.

(2) It shall be deemed to have come into force on the 1st day of February, 1996.

The West Bengal Primary Education (Amendment) Bill, 1996.

(Clauses 2-5.)

Amendment of section 2 of West Ben. Act XLIII of 1973.

2. In section 2 of the West Bengal Primary Education Act, 1973 (hereinafter referred to as the principal Act),—

(1) for clause (xvii), the following clause shall be substituted:—

'(xvii) "primary education" means such elementary education as is imparted through a primary school;';

(2) for clause (xviii), the following clause shall be substituted:—

'(xviii) "primary school" means a school, or a department of a school, set up under this Act for imparting such primary education as the State Government may prescribe, and includes a primary school, or a junior basic school, recognised under this Act and in existence on the date of coming into force of the West Bengal Primary Education (Amendment) Act, 1996;';

(3) in clause (xx), after the words "rules made", the words "or notifications or orders issued, as the case may be," shall be inserted.

Amendment of section 60.

3. In sub-section (1) of section 60 of the principal Act,—

(1) for clause (1), the following clause shall be substituted:—

"(1) (i) to withdraw recognition of any primary school on such ground, and following such procedure, as the State Government may prescribe, and

(ii) to grant financial aid to a recognised primary school, or to withdraw financial aid to a recognised primary school on such ground, and in such manner, as the State Government may prescribe;";

(2) for clause (11), the following clause shall be substituted:—

"(11) to amalgamate two or more primary schools into one primary school, to split a primary school into two or more primary schools, and to shift a primary school from one site to another;".

Amendment of section 105.

4. In sub-section (3) of section 105 of the principal Act, for the words "shall be deemed to have been recognised", the words "shall continue to be recognised" shall be substituted.

Amendment of section 106.

5. For sub-section (2) of section 106 of the principal Act, the following sub-section shall be substituted:—

"(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters:—

(a) the manner of election of the members of the Board referred to in clauses (c), (d), (e), (f), (g), (h) and (i) of section 4;

(b) the allowances, and the rates of allowances, referred to in section 18;

(c) the form of the budget estimate of the Board referred to in sub-section (1) of section 30;

(d) the manner of keeping an account of the Board referred to in section 34, and the manner of examination and audit of accounts of the Board referred to in sub-section (1) of section 35;

(e) the manner of election of the members of the District Primary School Council referred to in clauses (d), (e), (f), (g) and (h) of sub-section (2) of section 37 and clauses (c), (d), (g), (gg) and (ggg) of sub-section (2) of section 38;

The West Bengal Primary Education (Amendment) Bill, 1996.

(Clauses 6, 7.)

(f) the form of the budget estimate of the Primary School Council referred to in sub-section (1) of section 69;

(g) the manner of reappropriation to be sanctioned under section 71, the manner of keeping an account of a Primary School Council referred to in section 73 and the manner of examination and audit of accounts of a Primary School Council referred to in section 74;

(h) the manner in which the tax referred to in section 77 shall be levied and collected;

(i) the form of the scheme referred to in, and the particulars referred to in clause (g) of, section 80;

(j) the time of filing an appeal or referring a dispute, and the procedure to be followed by the Tribunal, referred to in sub-section (1) of section 92;

(k) any other matter which may be, or is required to be, prescribed.".

Insertion of new section 107.

6. After section 106 of the principal Act, the following section shall be inserted:—

"Power of State Government to issue notification or order in place of making rules

106. Notwithstanding anything contained in section 106 or elsewhere in this Act, the State Government may—

(a) issue any notification or order for carrying out any of the purposes of this Act for which that Government does not consider it necessary to make rules, or

(b) issue any notification or order, not inconsistent with the provisions of this Act, in place of making rules under this Act if that Government considers it necessary so to do.".

Repeal and saving.

7. (1) The West Bengal Primary Education (Amendment) Ordinance, 1996, is hereby repealed. West Ben. Ord. II of 1996.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

The West Bengal Primary Education Act, 1973, came into force with effect from the 2nd July, 1990, in the whole of West Bengal, except the areas comprising the districts of North 24-Parganas and South 24-Parganas and the hill areas as defined in the said Act. Later, the provisions of the said Act were extended to the districts of North 24-Parganas and South 24-Parganas with effect from the 11th March, 1994, on disposal of the relevant Court cases in favour of the Government.

2. Clause (xx) of section 2 of the said Act defines the word "prescribed" as "prescribed by rules made by the State Government under this Act". As a result, rules have to be framed for almost all the items of work as provided in the said Act. This has been causing tremendous administrative difficulties to the School Education Department, particularly in view of the fact that old rules framed on the basis of the earlier Acts of 1930 and 1963 are prevailing in the absence of any relevant rules in terms of the provisions of the existing Act of 1973. This has also led to litigations where the present policy of the Government is being challenged and the Courts are inclined to recognise the old rules on the basis of the earlier Acts, resulting in an anomalous position *vis-a-vis* the present Government policy.

3. Further, the matter regarding granting recognition to a primary school in terms of sub-section (1) of section 60 of the existing Act has been inviting litigations where primary schools organised at random in personal interest are asking for recognition, thus defying the norm and plan for setting up primary schools in areas which are in most need

4. In order to overcome the difficulties as aforesaid, it is felt necessary to amend the West Bengal Primary Education Act, 1973, immediately. The main object is to amend the definition of the word "prescribed" and also to restrict the applicability of the term "recognition" as they appear in the said Act and to make other relevant provisions ancillary to the amendments.

5. The Bill has been framed with the above objects in view.

6. There is no financial implication involved in the Bill.

CALCUTTA,
The 5th February, 1996.

KANTI BISWAS,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-5

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

MAGHA 20] FRIDAY, FEBRUARY 9, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 269-L.—9th February, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 9 of 1996

THE BIDHAN CHANDRA KRISHI VISWAVIDYALAYA (AMENDMENT) BILL, 1996.

A BILL

to amend the Bidhan Chandra Krishi Viswavidyalaya Act, 1974.

WHEREAS it is expedient to amend the Bidhan Chandra Krishi Viswavidyalaya Act, 1974, for the purpose and in the manner hereinafter appearing; West Ben. Act XLIX of 1974.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the Bidhan Chandra Krishi Viswavidyalaya (Amendment) Act, 1996.

(2) It shall be deemed to have come into force on the 29th day of December, 1995.

The Bidhan Chandra Krishi Viswavidyalaya (Amendment) Bill, 1996.

(Clauses 2, 3.)

Amendment of section 17 of West Ben. Act XLIX of 1974.

2. In sub-section (1) of section 17 of the Bidhan Chandra Krishi Viswavidyalaya Act, 1974 (hereinafter referred to as the principal Act),—

(1) for the words "existence of any vacancy among its members", the words "existence of a vacancy or vacancies among its members" shall be substituted, and

(2) the following *Explanation* shall be added at the end:—

"*Explanation.*—For the avoidance of doubt it is hereby declared that where the office of any member of any authority or body of the University cannot be filled up on account of any election or appointment not being for any reason feasible, there shall be deemed to be a vacancy in the office of such member until such election takes place or such appointment is made.".

Repeal and saving

3. (1) The Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1995, is hereby repealed. West Ben. Ord. IV of 1995

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

A new University, namely, the West Bengal University of Animal and Fishery Sciences, has been constituted under the West Bengal University of Animal and Fishery Sciences Act, 1995 (West Ben. Act VI of 1995), to provide facilities for the study of animal and fishery sciences and for conduct of researches in, and extension and development of, those sciences. The said University has three Faculties, namely, the Faculty of Veterinary and Animal Sciences, the Faculty of Fishery Sciences, and the Faculty of Dairy Technology. Formerly, the Faculty of Veterinary and Animal Sciences and the Faculty of Dairy Technology were under the Bidhan Chandra Krishi Viswavidyalaya.

2. Consequent upon the establishment of the West Bengal University of Animal and Fishery Sciences having two of its Faculties, namely, the Faculty of Veterinary and Animal Sciences and the Faculty of Dairy Technology, taken from the Bidhan Chandra Krishi Viswavidyalaya, as the constituent parts of the former, some of the staff (teaching and non-teaching) and students belonging to said Faculties have ceased to be the members of the Executive Council or the Court of the Bidhan Chandra Krishi Viswavidyalaya, which, as a result, faced an administrative bottle--neck in the absence of a full-fledged Executive Council.

3. In the academic interest, therefore, it was necessary to amend the Bidhan Chandra Krishi Viswavidyalaya Act, 1974, suitably to serve the purpose of the Bidhan Chandra Krishi Viswavidyalaya. As the matter was urgent and as the West Bengal Legislative Assembly was not in session at the material time, an Ordinance, namely, the Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1995 (West Ben. Ord. IV of 1995), was promulgated.

4. The Bill seeks to continue the provisions of the said Ordinance.

5. There is no financial implication involved in the Bill.

CALCUTTA,
The 9th February, 1996.

NIHAR BOSE,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-4

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

MAGHA 20] FRIDAY, FRBRUARY 9, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 271-L.—9th February, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 10 of 1996

THE WEST BENGAL COLLEGE SERVICE COMMISSION (AMENDMENT) BILL, 1996.

A
BILL

to amend the West Bengal College Service Commission Act, 1978.

WHEREAS it is expedient to amend the West Bengal College Service Commission Act, 1978, for the purpose and in the manner hereinafter appearing; West Ben Act LXII of 1978.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal College Service Commission (Amendment) Act, 1996.

(2) It shall be deemed to have come into force on the 13th day of October, 1995.

The West Bengal College Service Commission (Amendment) Bill, 1996.

(Clauses 2, 3.)

Amendment of section 9A of West Ben. Act LXII of 1978

2. In sub-section (1) of section 9A of the West Bengal College Service Commission Act, 1978 (hereinafter referred to as the principal Act), after the words "The standard of such eligibility test shall be at par with the standard of eligibility test at National level held by the University Grants Commission.", the following words shall be inserted and shall be deemed always to have been inserted:—

"The State level test shall be accredited by the University Grants Commission.".

Repeal and saving.

3. (1) The West Bengal College Service Commission (Amendment) Ordinance, 1995, is hereby repealed. West Ben. Ord. I of 1995.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

The University Grants Commission has made it compulsory to introduce an eligibility test at National level/State level of persons, who are candidates for appointment to the posts of Lecturer in any University or institution deemed to be a University or college or Government College, for selection for such appointment by the authority competent to make the selection under any law for the time being in force from amongst those persons who are found eligible on the basis of the eligibility test.

2. The State Government is of opinion that the eligibility test at State level should be held by the West Bengal College Service Commission.

3. It is, therefore, necessary to amend the West Bengal College Service Commission Act, 1978 (hereinafter referred to as the said Act). Accordingly, with a view to suitably amending the said Act, a Bill, namely, the West Bengal College Service Commission (Amendment) Bill, 1993, having been passed by the West Bengal Legislative Assembly, was sent to the Ministry of Home Affairs, Government of India, for obtaining President's assent thereto.

4. After examining the Bill, the Ministry of Home Affairs, Government of India, intimated to the State Government that a new sentence "The State Level Test shall be accredited by the University Grants Commission." is to be added in section 9A after the sentence, "The Standard of such eligibility test shall be at par with the standard of eligibility test at National level held by the University Grants Commission.". The State Government was also requested by the Ministry of Home Affairs to bring an amending Bill/Ordinance incorporating the above condition set by the Ministry of Human Resources Development (Department of Education).

5. Accordingly, as the matter was urgent and the West Bengal Legislative Assembly was not in session at the material time, an Ordinance styled as the West Bengal College Service Commission (Amendment) Ordinance, 1995 (West Ben. Ord. I of 1995), was promulgated. The Bill seeks to replace the said Ordinance by an Act of the West Bengal Legislative Assembly.

6. There is no financial implication involved in the Bill.

CALCUTTA,
The 7th February, 1996.

SATYA SADHAN CHAKRABORTY,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-11

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

MAGHA 26] THURSDAY, FEBRUARY 15, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 300-L.—15th February, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 11 of 1996

THE BENGAL NURSES (AMENDMENT) BILL, 1996.

A BILL

to amend the Bengal Nurses Act, 1934.

WHEREAS it is expedient to amend the Bengal Nurses Act, 1934, for the purposes and in the manner hereinafter appearing; Ben. Act X of 1934.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the Bengal Nurses (Amendment) Act, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

The Bengal Nurses (Amendment) Bill, 1996

(Clauses 2-4.)

Amendment of section 2 of Ben Act X of 1934

2. In section 2 of the Bengal Nurses Act, 1934, (hereinafter referred to as the principal Act),—

(a) after clause (a), the following clause shall be inserted:—
'(a1) "midwife" includes auxiliary nurse-midwife;',

(b) after clause (c), the following clause shall be inserted:—
'(c1) "nurse" includes public health nurse;'.

Substitution of new section for section 15

3. For section 15 of the principal Act, the following section shall be substituted:—

'Maintenance of registers by Registrar

15. (1) The Registrar shall keep the registers in accordance with the provisions of this Act and of any orders made by the Council, and shall, from time to time, make all necessary alterations in the registered addresses of the registered nurses, midwives and health visitors and erase the name of any such nurse, midwife or health visitor who is dead or who, in the opinion of the Council, is of unsound mind or who is held by the Council guilty of misconduct.

(2) The registration of any nurse, midwife or health visitor under this Act shall remain valid for five years from the date of registration and shall be renewed at the expiry of every five years as aforesaid on payment of such fees as may be prescribed The Registrar may erase the name of any nurse, midwife or health visitor, who has not renewed the registration within such period after the expiry of the period of validity of registration as may be prescribed, from the register in which it is entered

(3) Any name erased under sub-section (1) or sub-section (2) may, notwithstanding anything contained in the foregoing provisions of this section, be re-entered in the register under the direction of the Council.

(4) The Registrar may, for the purpose of updating the register, make such enquiries, and collect such information, about any registered nurse, midwife or health visitor, as he deems fit.".

Amendment of section 32

4. In sub-section (1) of section 32 of the principal Act, after clause (c), the following clause shall be inserted:—

"(c1) for prescribing the fees for renewal of registration, and the period within which the registration shall be renewed, under sub-section (2) of section 15;".

STATEMENT OF OBJECTS AND REASONS.

It is considered necessary and expedient to introduce a periodic fee for renewal of registration of nurses, midwives and health visitors under the Bengal Nurses Act, 1934 (Ben Act X of 1934), especially when such fee has already been introduced by the Nursing Councils of Other States, with a view to—

(a) enabling the West Bengal Nursing Council to have an exact idea of the number of registered nurses, midwives and health visitors alive and practising in West Bengal,

(b) checking the fraudulent use, if any, of certificates by nurses, midwives and health visitors, and

(c) helping the West Bengal Nursing Council, which, presently, is partially dependent on the grant-in-aid by the State Government in the Department of Health and Family Welfare, improve its near-moribund financial condition substantially so that in course of time it may not be necessary for the Council to depend on the grant-in-aid by the State Government for its sustenance.

2. The Bill has been framed with the above objects in view.

CALCUTTA,
The 14th February, 1996.

PRASANTA KUMAR SUR,
Member-in-charge

FINANCIAL MEMORANDUM.

There is no financial implication affecting the State Exchequer.

CALCUTTA,
The 14th February, 1996.

PRASANTA KUMAR SUR,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Limited
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No. WB(Part-IV)/96/SAR-15

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 8] TUESDAY, FEBRUARY 27, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 401-L.—27th February, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 12 of 1996

THE WEST BENGAL APPROPRIATION (VOTE ON ACCOUNT) BILL, 1996.

A

BILL

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of West Bengal for the services and purposes of a part of the year ending on the thirty-first day of March, 1997

WHEREAS it is expedient to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of West Bengal for the services and purposes of a part of the year ending on the thirty-first day of March, 1997;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title

1. This Act may be called the West Bengal Appropriation (Vote on Account) Act, 1996

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Clauses 2, 3.)

Issue of Rs. 52,83,61,63,000 out of the Consolidated Fund of West Bengal for the year 1996-97.

2. From and out of the Consolidated Fund of West Bengal there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of rupees five thousand two hundred eighty-three crores sixty-one lakhs and sixty-three thousand towards defraying the several charges which will come in course of payment during the year ending on the thirty-first day of March, 1997, in respect of the services and purposes specified in column 2 of the Schedule.

Appropriation

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of West Bengal by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the year ending on the thirty-first day of March, 1997.

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

SCHEDULE

(*See* sections 2 and 3.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	A—General Services			
	(a) Organs of State			
1	2011—State Legislature ..	2,27,00,000	*3,00,000*	2,30,00,000
Serial 2	2012—Governor ..	..	*51,00,000*	51,00,000
3	2013—Council of Ministers ..	62,00,000	..	62,00,000
4	2014—Administration of Justice ..	17,22,00,000	*5,26,00,000*	22,48,00,000
5	2015—Elections ..	37,36,00,000	*3,000*	37,36,03,000
	(b) Fiscal Services			
	(i) Collection of Taxes on Income and Expenditure			
6	2020—Collection of Taxes on Income and Expenditure	1,13,00,000	*1,000*	1,13,01,000
	(ii) Collection of Taxes on Property and Capital Transactions			
	2029—Land Revenue ..	50,45,00,000	*34,000*	50,45,34,000
	Capital Expenditure Outside the Revenue Account			
7	**C—Capital Account of Economic Services**			
	(i) Capital Account of General Economic Services			
	5475—Capital Outlay on Other General Economic Services. ..	22,00,000	..	22,00,000
	Total ..	50,67,00,000	*34,000*	50,67,34,000
	REVENUE ACCOUNT			
	A—General Services			
	(b) Fiscal Services			
	(ii) Collection of Taxes on Property and Capital Transactions			
8	2030—Stamps and Registration ..	8,77,00,000	..	8,77,00,000
9	2035—Collection of Other Taxes on Property and Capital Transactions. ..	9,00,000	..	9,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(iii) Collection of Taxes on Commodities and Services			
10	2039—State Excise ..	7,84,00,000	..	7,84,00,000
11	2040—Taxes on Sales, Trade etc. ..	12,77,00,000	..	12,77,00,000
12	2041—Taxes on Vehicles ..	1,64,00,000	..	1,64,00,000
13	2045—Other Taxes and Duties on Commodities and Services. ..	3,76,00,000	..	3,76,00,000
	(iv) Other Fiscal Services			
14	2047—Other Fiscal Services ..	2,28,00,000	..	2,28,00,000
	(c) Interest Payment and Servicing of Debt			
16	2049—Interest Payments ..	12,00,000	*6,68,83,00,000*	6,68,95,00,000
	(d) Administrative Services			
Serial 17	2051—Public Service Commission ..	..	*99,00,000*	99,00,000
18	2052—Secretariat—General Services ..	11,47,00,000	..	11,47,00,000
19	2053—District Administration ..	11,09,00,000	..	11,09,00,000
20	2054—Treasury and Accounts Administration ..	8,15,00,000	..	8,15,00,000
21	2055—Police ..	2,77,02,00,000	..	2,77,02,00,000
22	2056—Jails ..	11,71,00,000	..	11,71,00,000
24	2058—Stationery and Printing ..	4,24,00,000	..	4,24,00,000
	2059—Public Works ..	51,03,00,000	*87,00,000*	51,90,00,000
	(Public Works under Functional Heads)			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
25	2205—Art and Culture (Buildings) ..	20,00,000	..	20,00,000
	(c) Water Supply, Sanitation,Housing and Urban Development			
	2216—Housing (Buildings) ..	2,17,00,000	..	2,17,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(h) Others			
	C—Economic Services			
	(f) Industry and Minerals			
	2853—Non-Ferous Mining and Metallurgical Industries (Buildings). ..	4,00,000	..	4,00,000
	(j) General Economic Services			
25	**Capital Expenditure Outside the Revenue Account**			
	A—Capital Account of General Services			
	4059—Capital Outlay on Public Works ..	14,26,00,000	*3,00,000*	14,29,00,000
	Capital Outlay on Public Works under Functional Heads			
	B—Capital Account of Social Services			
	(a) Education, Sports, Art and Culture			
	4202—Capital Outlay on Education, Sports, Art and Culture (Buildings). ..	5,99,00,000	..	5,99,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(b) Health and Family Welfare			
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health) (Buildings). ..	11,21,00,000	..	11,21,00,000
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health) (Tribal Areas Sub-Plan) (Buildings). ..	36,00,000	..	36,00,000
	4210—Capital Outlay on Medical and Public Health (Public Health) (Buildings). ..	4,00,000	..	4,00,000
	4211—Capital Outlay on Family Welfare (Buildings)	2,00,000	..	2,00,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4216—Capital Outlay on Housing (Buildings) ..	5,87,00,000	..	5,87,00,000
25	**(d) Information and Broadcasting**			
	4220—Capital Outlay on Information and Publicity (Buildings). ..	2,00,000	..	2,00,000
	(h) Others			
	4250—Capital Outlay on Other Social Services (Buildings). ..	4,00,000	..	4,00,000
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4403—Capital Outlay on Animal Husbandry (Excluding Public Undertakings) (Buildings). ..	21,00,000	..	21,00,000
	4408—Capital Outlay on Food, Storage and Warehousing (Excluding Public Undertakings) (Buildings).	75,00,000	..	75,00,000
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings) (Buildings).	12,00,000	..	12,00,000
	Total ..	92,33,00,000	*90,00,000*	93,23,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	A—General Services			
	(d) Administrative Services			
26	2070—Other Administrative Services (Fire Protection and Control). ..	14,13,00,000	..	14,13,00,000
27	2070—Other Administrative Services (Excluding Fire Protection and Control). ..	28,44,00,000	..	28,44,00,000
	REVENUE ACCOUNT			
	A—General Services			
	(e) Pension and Miscellaneous General Services			
28	2071—Pensions and Other Retirement Benefits ..	1,96,31,00,000	*39,000*	1,96,31,39,000
29	2075—Miscellaneous General Services ..	2,96,00,000	..	2,96,00,000
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
30	2202—General Education ..	7,67,03,00,000	..	7,67,03,00,000
	2203—Technical Education ..	19,46,00,000	..	19,46,00,000
	2205—Art and Culture ..	3,40,00,000	..	3,40,00,000
	Capital Expenditure Outside the Revenue Account			
	F—Loans and Advances			
	6202—Loans for Education, Sports, Art and Culture..	2,00,000	..	2,00,000
	Total ..	7,89,91,00,000	..	7,89,91,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
31	2204—Sports and Youth Services ..	9,75,00,000	..	9,75,00,000
	(b) Health and Family Welfare			
	2210—Medical and Public Health (Excluding Public Health). ..	1,73,29,00,000	..	1,73,29,00,000
	Capital Expenditure Outside the Revenue Account			
32	**B—Capital Account of Social Services**			
	(b) Health and Family Welfare			
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health). ..	17,00,000	..	17,00,000
	Total ..	1,73,46,00,000	..	1,73,46,00,000
	REVENUE ACCOUNT			
	B—Social Services			
	(b) Health and Family Welfare			
33	2210—Medical and Public Health (Public Health) ..	28,50,00,000	..	28,50,00,000
34	2211—Family Welfare ..	25,70,00,000	..	25,70,00,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	2215—Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution). ..	83,33,00,000	..	83,33,00,000
35	**F—Loans and Advances**			
	6215—Loans for Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution). ..	55,00,000	..	55,00,000
	Total ..	83,88,00,000	..	83,88,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
36	2216—Housing ..	8,54,00,000	*34,000*	8,54,34,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4216—Capital Outlay on Housing ..	11,55,00,000	..	11,55,00,000
	F—Loans and Advances			
	6216—Loans for Housing ..	84,00,000	..	84,00,000
	Total ..	20,93,00,000	*34,000*	20,93,34,000
	REVENUE ACCOUNT			
	B—Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
37	2217—Urban Development ..	99,23,00,000	..	99,23,00,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4217—Capital Outlay on Urban Development ..	47,00,000	..	47,00,000
	F—Loans and Advances			
	6217—Loans for Urban Development ..	23,79,00,000	..	23,79,00,000
	Total ..	1,23,49,00,000	..	1,23,49,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(d) Information and Broadcasting			
	2220—Information and Publicity ..	6,64,00,000	..	6,64,00,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
38	**(d) Information and Publicity**			
	4220—Capital Outlay on Information and Publicity ..	12,00,000	..	12,00,000
	F—Loans and Advances			
	6220—Loans for Information and Publicity ..	30,00,000	..	30,00,000
	Total ..	7,06,00,000	..	7,06,00,000
	REVENUE ACCOUNT			
	B—Social Services			
	(f) Labour and Labour Welfare			
39	2230—Labour and Employment ..	14,05,00,000	..	14,05,00,000
	(g) Social Welfare and Nutrition			
	2235—Social Security and Welfare (Rehabilitation) ..	13,80,00,000	*50,00,000*	14,30,00,000
	Capital Expenditure Outside the Revenue Account			
40	**F—Loans and Advances**			
	6235—Loans for Social Security and Welfare (Rehabilitation). ..	2,00,000	..	2,00,000
	Total ..	13,82,00,000	*50,00,000*	14,32,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
41	2202—General Education (Tribal Areas Sub-Plan) ..	2,67,00,000	..	2,67,00,000
	2204—Sports & Youth Services (Tribal Areas Sub-Plan)	7,00,000	..	7,00,000
	(b) Health and Family Welfare			
	2210—Medical and Public Health (Excluding Public Health) (Tribal Areas Sub-Plan). ..	85,00,000	..	85,00,000
	2210—Medical and Public Health (Public Health) (Tribal Areas Sub-Plan). ..	16,00,000	..	16,00,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	2215—Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution) (Tribal Areas Sub-Plan). ..	1,35,00,000	..	1,35,00,000
	(e) Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes			
	2225—Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes. ..	44,44,00,000	..	44,44,00,000
	(g) Social Welfare and Nutrition			
	2235—Social Security and Welfare (Social Welfare) (Tribal Areas Sub-Plan). ..	5,00,000	..	5,00,000
	2236—Nutrition (Tribal Areas Sub-Plan) ..	10,00,000	..	10,00,000
	C—Economic Services			
	(a) Agriculture and Allied Activities			
	2401—Crop Husbandry (Tribal Areas Sub-Plan) ..	45,00,000	..	45,00,000
	2402—Soil and Water Conservation (Tribal Areas Sub-Plan). ..	17,00,000	..	17,00,000
	2403—Animal Husbandry (Tribal Areas Sub-Plan) ..	37,00,000	..	37,00,000
	2405—Fisheries (Tribal Areas Sub-Plan) ..	20,00,000	..	20,00,000
	2406—Forestry and Wild Life (Tribal Areas Sub-Plan)	4,08,00,000	..	4,08,00,000
	2408—Food, Storage and Warehousing (Tribal Areas Sub-Plan). ..	1,00,000	..	1,00,000
	2425—Co-operation (Tribal Areas Sub-Plan) ..	6,00,000	..	6,00,000
	2435—Other Agricultural Programmes (Tribal Areas Sub-Plan). ..	3,00,000	..	3,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(b) Rural Development			
	2501—Rural Development (Tribal Areas Sub-Plan) . .	2,48,00,000	. .	2,48,00,000
	(c) Special Areas Programmes			
	2575—Other Special Areas Programmes (Tribal Areas Sub-Plan). . .	22,00,000	. .	22,00,000
	(d) Irrigation and Flood Control			
	2702—Minor Irrigation (Tribal Areas Sub-Plan) . .	12,00,000	. .	12,00,000
	(f) Industry and Minerals			
	2851—Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan). . .	30,00,000	. .	30,00,000
	Capital Expenditure Outside the Revenue Account			
41	**B—Capital Account of Social Services**			
	(e) Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes			
	4225—Capital Outlay on Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes.	1,42,00,000	. .	1,42,00,000
	(h) Others			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4401—Capital Outlay on Crop Husbandry (Excluding Public Undertakings) (Tribal Areas Sub-Plan).	1,00,000	. .	1,00,000
	4425—Capital Outlay on Co-operation (Tribal Areas Sub-Plan). . .	9,00,000	. .	9,00,000
	4435—Capital Outlay on Other Agricultural Programmes (Tribal Areas Sub-Plan). . .	4,00,000	. .	4,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(d) Capital Account of Irrigation and Flood Control			
	4702—Capital Outlay on Minor Irrigation (Tribal Areas Sub-Plan). . .	1,00,00,000	. .	1,00,00,000
	4705—Capital Outlay on Command Area Development (Tribal Areas Sub-Plan). . .	2,00,000	. .	2,00,000
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan). . .	1,00,000	. .	1,00,000
	(g) Capital Account of Transport			
41	5054—Capital Outlay on Roads and Bridges (Tribal Areas Sub-Plan). . .	2,27,00,000	. .	2,27,00,000
	F—Loans and Advances			
	6225—Loans for Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes.	24,00,000	. .	24,00,000
	6425—Loans for Co-operation (Tribal Areas Sub-Plan)	2,00,000	. .	2,00,000
	6575—Loans for Other Special Areas Programmes (Tribal Areas Sub-Plan). . .	1,00,000	. .	1,00,000
	6851—Loans for Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan). . .	1,00,000	. .	1,00,000
	Total . .	63,32,00,000	. .	63,32,00,000
	REVENUE ACCOUNT			
	B—Social Services			
	(g) Social Welfare and Nutrition			
42	2235—Social Security and Welfare (Social Welfare). .	47,80,00,000	. .	47,80,00,000
43	2236—Nutrition . .	4,72,00,000	. .	4,72,00,000
44	2245—Relief on account of Natural Calamities . .	52,13,00,000	. .	52,13,00,000
	(h) Others			
45	2251—Secretariat Social Services . .	4,37,00,000	. .	4,37,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(h) Others			
46	2250—Other Social Services ..	6,11,00,000	..	6,11,00,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	4250—Capital Outlay on Other Social Services ..	1,10,00,000	..	1,10,00,000
	F—Loans and Advances			
	6250—Loans for Other Social Services ..	8,00,000	..	8,00,000
	Total ..	7,29,00,000	..	7,29,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
47	2401—Crop Husbandry ..	30,68,00,000	..	30,68,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Agriculture and Allied Activities			
	4401—Capital Outlay on Crop Husbandry (Excluding Public Undertakings). ..	19,00,000	..	19,00,000
	F—Loans and Advances			
	6401—Loans for Crop Husbandry (Excluding Public Undertakings). ..	34,00,000	..	34,00,000
	Total ..	31,21,00,000	..	31,21,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
48	2402—Soil and Water Conservation ..	5,58,00,000	..	5,58,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4402—Capital Outlay on Soil and Water Conservation	2,00,000	..	2,00,000
	Total ..	5,60,00,000	..	5,60,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
49	2403—Animal Husbandry ..	23,18,00,000	..	23,18,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4403—Capital Outlay on Animal Husbandry (Excluding Public Undertakings). ..	1,00,00,000	..	1,00,00,000
	Total ..	24,18,00,000	..	24,18,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
50	2404—Dairy Development ..	33,25,00,000	..	33,25,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4404—Capital Outlay on Dairy Development (Excluding Public Undertakings). ..	87,00,000	..	87,00,000
	Total ..	34,12,00,000	..	34,12,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
51	2405—Fisheries ..	13,38,00,000	..	13,38,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4405—Capital Outlay on Fisheries ..	97,00,000	..	97,00,000
	F—Loans and Advances			
	6405—Loans for Fisheries ..	2,03,00,000	..	2,03,00,000
	Total ..	16,38,00,000	..	16,38,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
	2406—Forestry and Wild Life ..	32,80,00,000	*14,00,000*	32,94,00,000
	Capital Expenditure Outside the Revenue Account			
52	**C—Capital Account of Economic Services**			
	(a) Capital Account of Agriculture and Allied Activities			
	4406—Capital Outlay on Forestry and Wild Life ..	7,00,000	..	7,00,000
	Total ..	32,87,00,000	*14,00,000*	33,01,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4407—Capital Outlay on Plantations ..	30,00,000	..	30,00,000
53	**F—Loans and Advances**			
	6407—Loans for Plantations ..	49,00,000	..	49,00,000
	Total ..	79,00,000	..	79,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
54	2408—Food, Storage and Warehousing ..	17,12,00,000	..	17,12,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4408—Capital Outlay on Food, Storage and Warehousing (Excluding Public Undertakings). ..	8,57,00,000	*17,000*	8,57,17,000
	Total ..	25,69,00,000	*17,000*	25,69,17,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
55	2415—Agricultural Research and Education ..	10,85,00,000	..	10,85,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4415—Capital Outlay on Agricultural Research and Education (Excluding Public Undertakings). ..	9,00,000	..	9,00,000
	Total ..	10,94,00,000	..	10,94,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
57	2425—Co-operation ..	10,70,00,000	..	10,70,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4425—Capital Outlay on Co-operation ..	3,02,00,000	..	3,02,00,000
	F—Loans and Advances			
	6425—Loans for Co-operation ..	1,89,00,000	..	1,89,00,000
	Total ..	15,61,00,000	..	15,61,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
58	2435—Other Agricultural Programmes ..	3,43,00,000	..	3,43,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4435—Capital Outlay on Other Agricultural Programmes	14,00,000	..	14,00,000
	Total ..	3,57,00,000	..	3,57,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(b) Rural Development			
59	2501—Special Programmes for Rural Development ..	1,59,00,000	..	1,59,00,000
60	2505—Rural Employment ..	1,74,75,00,000	..	1,74,75,00,000
61	2506—Land Reforms ..	5,82,00,000	..	5,82,00,000
	2515—Other Rural Development Programmes (Panchayati Raj). ..	64,41,00,000	..	64,41,00,000
	D—Grants-in-Aid and Contributions			
62	3604—Compensation and Assignments to Local Bodies and Panchayati Raj Institutions (Panchayati Raj).	3,59,00,000	*1,000*	3,59,01,000
	Capital Expenditure Outside the Revenue Account			
	F—Loans and Advances			
	6515—Loans for Other Rural Development Programmes (Panchayati Raj). ..	1,00,000	..	1,00,000
	Total ..	68,01,00,000	*1,000*	68,01,01,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(b) Rural Development			
	2515—Other Rural Development Programmes (Community Development). ..	18,67,00,000	..	18,67,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
63	**(b) Capital Account of Rural Development**			
	4515—Capital Outlay on Other Rural Development Programmes (Community Development). ..	22,00,000	..	22,00,000
	F—Loans and Advances			
	6515—Loans for Other Rural Development Programmes (Community Development). ..	7,00,000	..	7,00,000
	Total ..	18,96,00,000	..	18,96,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
64	**REVENUE ACCOUNT** **C—Economic Services** **(c) Special Areas Programmes** 2551—Hill Areas . .	49,71,00,000	. .	49,71,00,000
	Capital Expenditure Outside the Revenue Account **C—Capital Account of Economic Services** **(c) Capital Account of Special Areas Programmes** 4551—Capital Outlay on Hill Areas . .	45,00,000	. .	45,00,000
	F—Loans and Advances 6551—Loans for Hill Areas . .	1,18,00,000	. .	1,18,00,000
	Total . .	51,34,00,000	. .	51,34,00,000
65	**REVENUE ACCOUNT** **C—Economic Services** **(c) Special Areas Programmes** 2575—Other Special Areas Programmes . .	26,02,00,000	. .	26,02,00,000
	Capital Expenditure Outside the Revenue Account **C—Capital Account of Economic Services** **(c) Capital Account of Special Areas Programmes** 4575—Capital Outlay on Other Special Areas Programmes. . .	10,13,00,000	. .	10,13,00,000
	Total . .	36,15,00,000	. .	36,15,00,000
66	**REVENUE ACCOUNT** **C—Economic Services** **(d) Irrigation and Flood Control** 2701—Major and Medium Irrigation . .	26,50,00,000	. .	26,50,00,000
	Capital Expenditure Outside the Revenue Account **C—Capital Account of Economic Services** **(d) Capital Account of Irrigation and Flood Control** 4701—Capital Outlay on Major and Medium Irrigation . .	88,67,00,000	. .	88,67,00,000
	Total . .	1,15,17,00,000	. .	1,15,17,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
67	2702—Minor Irrigation ..	59,71,00,000	..	59,71,00,000
	2705—Command Area Development ..	1,00,00,000	..	1,00,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4702—Capital Outlay on Minor Irrigation ..	25,81,00,000	..	25,81,00,000
	4705—Capital Outlay on Command Area Development	35,00,000	..	35,00,000
	Total ..	86,87,00,000	..	86,87,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
68	2711—Flood Control ..	15,94,00,000	*34,000*	15,94,34,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4711—Capital Outlay on Flood Control Projects ..	21,92,00,000	..	21,92,00,000
	Total ..	37,86,00,000	*34,000*	37,86,34,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(e) Energy			
69	2801—Power ..	28,50,00,000	..	28,50,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(e) Capital Account of Energy			
	4801—Capital Outlay on Power Projects ..	1,08,00,00,000	..	1,08,00,00,000
	F—Loans and Advances			
	6801—Loans for Power Projects ..	4,49,38,00,000	..	4,49,38,00,000
	6860—Loans for Consumer Industries ..	50,00,000	..	50,00,000
	Total ..	5,86,38,00,000	..	5,86,38,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(e) Energy			
72	2810—Non-Conventional Sources of Energy ..	38,00,000	..	38,00,000
	(f) Industry and Minerals			
73	2851—Village and Small Industries (Excluding Public Undertakings). ..	27,83,00,000	..	27,83,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings). ..	1,38,00,000	..	1,38,00,000
	F—Loans and Advances			
	6851—Loans for Village and Small Industries (Excluding Public Undertakings). ..	5,47,00,000	..	5,47,00,000
	Total ..	34,68,00,000	..	34,68,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(f) Industry and Minerals			
	2852—Industries (Closed and Sick Industries) ..	25,00,000	..	25,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
	4858—Capital Outlay on Engineering Industries (Closed and Sick Industries). ..	17,00,000	..	17,00,000
74	4860—Capital Outlay on Consumer Industries (Closed and Sick Industries). ..	24,00,000	..	24,00,000
	4875—Capital Outlay on Other Industries (Closed and Sick Industries). ..	10,00,000	..	10,00,000
	F—Loans and Advances			
	6858—Loans for Engineering Industries (Closed and Sick Industries). ..	6,05,00,000	*11,00,000*	6,16,00,000
	6860—Loans for Consumer Industries (Closed and Sick Industries). ..	7,41,00,000	..	7,41,00,000
	Total ..	14,22,00,000	*11,00,000*	14,33,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(f) Industry and Minerals			
75	2852—Indutries (Excluding Public Undertakings and Closed and Sick Industries). ..	12,70,00,000	..	12,70,00,000
76	2853—Non-Ferrous Mining and Metallurgical Industries	74,00,000	..	74,00,000
	(g) Transport			
77	3051—Ports and Lighthouses ..	49,00,000	..	49,00,000
78	3053—Civil Aviation ..	13,00,000	..	13,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(g) Transport			
79	3054—Roads and Bridges ..	30,26,00,000	..	30,26,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(g) Capital Account of Transport			
	5054—Capital Outlay on Roads and Bridges ..	46,82,00,000	..	46,82,00,000
	Total ..	77,08,00,000	..	77,08,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(g) Transport			
80	3055—Road Transport ..	35,24,00,000	..	35,24,00,000
	3056—Inland Water Transport ..	8,00,000	..	8,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(g) Capital Account of Transport			
	5055—Capital Outlay on Road Transport ..	93,00,000	..	93,00,000
	5056—Capital Outlay on Inland Water Transport ..	1,28,00,000	..	1,28,00,000
	F—Loans and Advances			
	7055—Loans for Road Transport ..	11,57,00,000	..	11,57,00,000
	Total ..	49,10,00,000	..	49,10,00,000
	C—Economic Services			
	(g) Transport			
	F—Loans and Advances			
81	7075—Loans for Other Transport Services ..	7,47,00,000	..	7,47,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(i) Science, Technology and Environment			
82	3425—Other Scientific Research ..	2,00,000	..	2,00,000
	(j) General Economic Services			
83	3451—Secretariat—Economic Services ..	7,35,00,000	..	7,35,00,000
	3452—Tourism ..	1,94,00,000	..	1,94,00,000
	Capital Expenditure Outside the Revenue Account			
84	**C—Capital Account of Economic Services**			
	(j) Capital Account of General Economic Services			
	5452—Capital Outlay of Tourism ..	4,00,000	..	4,00,000
	Total ..	1,98,00,000	..	1,98,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(j) General Economic Services			
85	3454—Census, Surveys and Statistics ..	1,87,00,000	..	1,87,00,000
86	3456—Civil Supplies ..	1,32,00,000	..	1,32,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(j) Capital Account of General Economic Services			
	5465—Investments in General Financial and Trading Institutions. ..	3,00,000	..	3,00,000
87	**F—Loans and Advances**			
	7465—Loans for General Financial and Trading Institutions. ..	87,00,000	..	87,00,000
	Total ..	90,00,000	..	90,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(j) General Economic Services			
88	3475—Other General Economic Services ..	1,44,00,000	..	1,44,00,000
	B—Social services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
89	2215—Water Supply and Sanitation (Prevention of Air and Water Pollution). ..	4,37,00,000	..	4,37,00,000
	D—Grants-in-Aid and Contributions			
90	3604—Compensation and Assignments to Local Bodies and Panchayati Raj Institutions (Excluding Panchayati Raj). ..	1,05,26,00,000	*5,00,000*	1,05,31,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4408—Capital Outlay on Food, Storage and Warehousing (Public Undertakings). ..	10,00,000	..	10,00,000
	F—Loans and Advances			
92	6857—Loans for Chemical and Pharmaceutical Industries (Public Undertakings). ..	4,29,00,000	..	4,29,00,000
	6858—Loans for Engineering Industries (Public Undertakings). ..	4,92,00,000	..	4,92,00,000
	6860—Loans for Consumer Industries (Public Undertakings). ..	88,00,000	..	88,00,000
	Total ..	10,19,00,000	..	10,19,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
93	4856—Capital Outlay on Petrochemical Industries (Excluding Public Undertakings). ..	22,00,00,000	..	22,00,00,000
	4860—Capital Outlay on Consumer Industries (Excluding Public Undertakings). ..	40,00,000	..	40,00,000
	4885—Other Capital Outlay on Industries and Minerals (Excluding Public Undertakings). ..	7,86,00,000	..	7,86,00,000
	F—Loans and Advances			
	6885—Loans for Other Industries and Minerals (Excluding Public Undertakings). ..	1,57,00,000	..	1,57,00,000
	Total ..	31,83,00,000	..	31,83,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
94	4859—Capital Outlay on Telecommunication and Electronic Industries. ..	3,50,00,000	..	3,50,00,000
	F—Loans and Advances			
	6859—Loans for Telecommunication and Electronic Industries. ..	1,50,00,000	..	1,50,00,000
	Total ..	5,00,00,000	..	5,00,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
95	4860—Capital Outlay on Consumer Industries (Excluding Public Undertakings and Closed and Sick Industries). ..	92,00,000	*1,00,000*	93,00,000
	F—Loans and Advances			
	6857—Loans for Chemical and Pharmaceutical Industries (Excluding Public Undertakings and Closed and Sick Industries). ..	12,00,000	..	12,00,000
	6860—Loans for Consumer Industries (Excluding Public Undertakings and Closed and Sick Industries). ..	6,02,00,000	..	6,02,00,000
	Total ..	7,06,00,000	*1,00,000*	7,07,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	F—Loans and Advances			
96	6875—Loans for Other Industries (Excluding Public Undertakings and Closed and Sick Industries). .	90,00,000	. .	90,00,000
	6885—Loans for Other Industries and Minerals (Excluding Closed and Sick Industries). . .	3,40,00,000	. .	3,40,00,000
	Total . .	4,30,00,000	. .	4,30,00,000
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
97	4885—Other Capital Outlay on Industry and Minerals (Excluding Public Undertakings and Closed and Sick Industries). . .	45,00,000	. .	45,00,000
	E—Public Debt			
Serial 98	6003—Internal Debt of the State Government . .	. .	*4,07,86,00,000*	4,07,86,00,000
	6004—Loans and Advances from Central Government	. .	*1,28,52,00,000*	1,28,52,00,000
	Total . .	. .	*5,36,38,00,000*	5,36,38,00,000
	F—Loans and Advances			
99	7610—Loans to Government Servants etc. . .	30,00,00,000	. .	30,00,00,000
	7615—Miscellaneous Loans . .	1,13,00,000	. .	1,13,00,000
	Total . .	31,13,00,000	. .	31,13,00,000
	Grand Total . .	**40,69,89,00,000**	***12,13,72,63,000***	**52,83,61,63,000**

STATEMENT OF OBJECTS AND REASONS.

The object of the Bill is to provide for the appropriation out of the Consolidated Fund of West Bengal of all moneys required for a part of the year 1996-97 to meet—

(a) the grants made by the Assembly, and

(b) the expenditure charged on the Consolidated Fund of West Bengal, but not exceeding, in any case, the amount shown in the Statement previously laid before the House in pursuance of article 206 of the Constitution of India.

2. Under the Constitution of India no money can be withdrawn from the Consolidated Fund of West Bengal except in accordance with an appropriation made by law

CALCUTTA,
The 27th February, 1996.

ASIM KUMAR DASGUPTA,
Member-in-charge

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-III)/96/SAR-2

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 8] TUESDAY, FEBRUARY 27, 1996 [SAKA 1917

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 402-L.—27th February, 1996.—The following Act of the West Bengal Legislature, having been assented to by the President of India, is hereby published for general information:—

West Bengal Act XXII of 1995

THE WEST BENGAL TRANSPORT UNDERTAKINGS (PREVENTION OF TICKETLESS TRAVEL) (AMENDMENT) ACT, 1995.

[*Passed by the West Bengal Legislature.*]

[Assent of the President of India was first published in the *Calcutta Gazette, Extraordinary,* of the 27th February, 1996.]

An Act to amend the West Bengal Transport Undertakings (Prevention of Ticketless Travel) Act, 1975.

WHEREAS it is expedient to amend the West Bengal Transport Undertakings (Prevention of Ticketless Travel) Act, 1975, for the purpose and in the manner hereinafter appearing; West Ben. Act XLV of 1975.

It is hereby enacted in the Forty-sixth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Transport Undertakings (Prevention of Ticketless Travel) (Amendment) Act, 1995.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

The West Bengal Transport Undertakings (Prevention of Ticketless Travel) (Amendment) Act, 1995.

(Section 2.)

Amendment of section 2 of West Ben Act XLV of 1975

2. In section 2 of the West Bengal Transport Undertakings (Prevention of Ticketless Travel) Act, 1975,—

(1) for clause (b), the following clause shall be substituted:—

'(b) "State Transport Undertaking" means—

(i) the Calcutta State Transport Corporation,

(ii) the North Bengal State Transport Corporation, or

(iii) the South Bengal State Transport Corporation,

established under section 3 of the Road Transport Corporations Act, 1950, and includes— 64 of 1950

(A) the Calcutta Tramways Company (1978) Limited, referred to in section 5A of the Calcutta Tramways Company (Acquisition of Undertaking) Act, 1976, or West Ben Act LIV of 1976

(B) the West Bengal Surface Transport Corporation Limited, formed and registered as a Government company in accordance with the provisions of the Companies Act, 1956;'; 1 of 1956

(2) for clause (c), the following clause shall be substituted:—

'(c) "Transport Undertaking" means a State Transport Undertaking;';

(3) for clause (d), the following clause shall be substituted:—

'(d) "Transport vehicle" means a public service vehicle, as defined in clause (35) of section 2 of the Motor Vehicles Act, 1988, or a passenger vehicle, belonging to, or a passenger, or cargo vessel operated by, a State Transport Undertaking;'; 59 of 1988

(4) in clause (e), for the words and figures "Motor Vehicles Act, 1939.", the words and figures "Motor Vehicles Act, 1988." shall be substituted.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-III)/96/SAR-3

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 8] TUESDAY, FEBRUARY 27, 1996 [SAKA 1917

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No 403-L.—27th February, 1996 —The following Act of the West Bengal Legislature, having been assented to by the President of India, is hereby published for general information·—

West Bengal Act XXIII of 1995

THE WEST BENGAL BOARD OF REVENUE (REPEALING) ACT, 1995.

[*Passed by the West Bengal Legislature*]

[Assent of the President of India was first published in the *Calcutta Gazette, Extraordinary,* of the 27th February, 1996]

An Act to repeal the Bengal Board of Revenue Act, 1913.

WHEREAS it is expedient to repeal the Bengal Board of Revenue Act, 1913; Ben Act II of 1913

It is hereby enacted in the Forty-sixth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the Bengal Board of Revenue (Repealing) Act, 1995.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Repeal of Ben Act II of 1913

2. The Bengal Board of Revenue Act, 1913 (hereinafter referred to as the said Act), is hereby repealed.

The West Bengal Board of Revenue (Repealing) Act, 1995

(Sections 3-7.)

Provided that such repeal shall not—

(a) affect the previous operation of the said Act so repealed or anything duly done or suffered thereunder, or

(b) affect any right, privilege, obligation or liability acquired, accrued or incurred under the said Act so repealed, or

(c) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against the said Act so repealed, or

(d) affect any investigation, legal proceeding or remedy, in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Act had not been passed

Saving

3. Notwithstanding anything contained in section 2, at the date of commencement of this Act,—

(a) all properties of the Board of Revenue for West Bengal as re-constituted by or under the said Act (hereinafter referred to as the Board) shall stand transferred to, and vest in, the State Government,

(b) every liability of the Board in respect of any period prior to the date of commencement of this Act shall be the liability of the State Government, and

(c) every officer or other employee appointed by the Board and continuing in office immediately before the date of commencement of this Act, shall be deemed to be the officer or, as the case may be, other employee of the State Government, and shall hold office or service under the State Government with the same rights and privileges as to salary and other conditions of service as would have been admissible to him if this Act had not been passed

Construction of references to Board etc

4. Any reference to the Board, or the Member, or the Additional Member, or the Secretary, of the Board, in any of the Regulations or the Acts specified in the Schedule to this Act or in any Ordinance, order, bye-law, rule, scheme, notification or other document or instrument having the force of law, shall, unless the context otherwise requires, be construed as a reference to the State Government, and, thereupon, such Regulation, Act, Ordinance, order, bye-law, rule, scheme, notification or other document or instrument, shall be deemed to have been amended accordingly.

Legal proceedings

5. Where immediately before the date of commencement of this Act any legal proceedings are pending to which the Board, or the Member, or the Additional Member, or the Secretary, of the Board, is a party, then, for the purposes of those proceedings, any reference to the Board, or the Member, or the Additional Member, or the Secretary, of the Board, shall be construed as a reference to the State Government

Protection of action taken in good faith

6. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer or other employee of that Government for anything which is in good faith done or intended to be done under this Act

Removal of difficulties

7. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of publication of this Act in the *Official Gazette*

The West Bengal Board of Revenue (Repealing) Act, 1995.
(Schedule.)

SCHEDULE

(*See* section 4.)

1. The Bengal Land-revenue Regulation, 1793 (Bengal Regulation II of 1793).
2. The Bengal Decennial Settlement Regulation, 1793 (Bengal Regulation VIII of 1793).
3. The Bengal Revenue-free Lands (Non-Badshahi Grants) Regulation, 1793 (Bengal Regulation XIX of 1793).
4. The Bengal Revenue-free Lands (Badshahi Grants) Regulation, 1793 (Bengal Regulation XXXVII of 1793).
5. The Bengal Wills and Intestacy Regulation, 1799 (Bengal Regulation V of 1799).
6. The Bengal Revenue-free Lands Regulation, 1800 (Bengal Regulation VIII of 1800).
7. The Bengal Land-revenue Assessment Regulation, 1801 (Bengal Regulation I of 1801).
8. The Cuttack Land-revenue Regulation, 1805 (Bengal Regulation XII of 1805).
9. The Bengal Charitable Endowments, Public Buildings and Escheats Regulation, 1810 (Bengal Regulation XIX of 1810).
10. The Bengal Land-revenue Sales Regulation, 1812 (Bengal Regulation V of 1812).
11. The Bengal Ghatwali Lands Regulation, 1814 (Bengal Regulation XXIX of 1814).
12. The Bengal Patwaris Regulation, 1817 (Bengal Regulation XII of 1817).
13. The Bengal Kanungos and Patwaris Regulation, 1819 (Bengal Regulation I of 1819).
14. The Bengal Land-revenue Assessment (Resumed Lands) Regulation, 1819 (Bengal Regulation II of 1819).
15. The Bengal Land-revenue (Assistant Collectors) Regulation, 1321 (Bengal Regulation IV of 1821).
16. The Bengal Land-revenue Settlement Regulation, 1822 (Bengal Regulation VII of 1822).
17. The Bengal Government Indemnity Regulation, 1822 (Bengal Regulation XI of 1822).
18. The Bengal Land-revenue Settlement Regulation, 1825 (Bengal Regulation IX of 1825).
19. The Bengal Land-revenue Settlement (Resumed Kanungos and Revenue-free Lands) Regulation, 1825 (Bengal Regulation XIII of 1825).
20. The Bengal Revenue-free Lands Regulation, 1825 (Bengal Regulation XIV of 1825).
21. The Bengal Attached Estates Management Regulation, 1827 (Bengal Regulation V of 1827).
22. The Bengal Land-revenue Assessment (Resumed Lands) Regulation, 1828 (Bengal Regulation III of 1828).
23. The Bengal Revenue Commissioners Regulation, 1829 (Bengal Regulation I of 1829).
24. The Bengal Land-revenue (Settlement and Deputy Collectors) Regulation, 1833 (Bengal Regulation IX of 1833).
25. The Rent Recovery Act, 1853 (Act VI of 1853).
26. The Bengal Land-revenue Sales Act, 1859 (Act XI of 1859).
27. The Bengal Rent Act, 1862 (Bengal Act VI of 1862).
28. The Bengal Alluvion (Amendment) Act, 1868 (Bengal Act IV of 1868).
29. The Bengal Survey Act, 1875 (Bengal Act V of 1875).
30. The Bengal Irrigation Act, 1876 (Bengal Act III of 1876).
31. The Land Registration Act, 1876 (Bengal Act VII of 1876).
32. The Court of Wards Act, 1879 (Bengal Act IX of 1879).
33. The Cess Act, 1880 (Bengal Act IX of 1880).
34. The Bengal Embankment Act, 1882 (Bengal Act II of 1882).
35. The Calcutta Survey Act, 1887 (Bengal Act I of 1887).
36. The Land Records Maintenance Act, 1895 (Bengal Act III of 1895).
37. The Estates Partition Act, 1897 (Bengal Act V of 1897).
38. The Indian Stamp Act, 1899 (Act II of 1899).
39. The Bengal Public Demands Recovery Act, 1913 (Bengal Act III of 1913).
40. The Bengal Wakf Act, 1934 (Bengal Act XIII of 1934).

The Bengal Board of Revenue (Repealing) Act, 1995.

(Schedule.)

41. The Bengal Development Act, 1935 (Bengal Act XVI of 1935).
42. The Bengal Tanks Improvement Act, 1939 (Bengal Act XV of 1939).
43. The West Bengal Private Forests Act, 1948 (West Bengal Act XIV of 1948).
44. The West Bengal Non-Agricultural Tenancy Act, 1949 (West Bengal Act XX of 1949).
45. The Cooch Behar (Assimilation of State Laws) Act, 1950 (West Bengal Act LXIII of 1950).
46. The West Bengal Evacuee Property Act, 1951 (West Bengal Act V of 1951).
47. The West Bengal Estates Acquisition Act, 1953 (West Bengal Act I of 1954).
48. The West Bengal Land Reforms Act, 1955 (West Bengal Act X of 1956).
49. The West Bengal Agricultural Lands and Fisheries (Acquisition and Resettlement) Act, 1958 (West Bengal Act XVIII of 1958).
50. The West Bengal Court-fees Act, 1970 (West Bengal Act X of 1970).
51. The West Bengal Religious Buildings and Places Act, 1985 (West Bengal Act XXXII of 1985).

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-45

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 8] TUESDAY, FEBRUARY 27, 1996 [SAKA 1917

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

EDUCATION DEPARTMENT

Primary Branch

No. 144-S.E.(Pry.) Calcutta, the 27th February, 1996.

NOTIFICATION

The following draft of amendments which the Governor, in exercise of the power conferred by section 106, read with section 78A and section 78BB, of the West Bengal Primary Education Act, 1973 (West Ben. Act XLIII of 1973), proposes to make in the West Bengal Primary Education (Levy of Cess on Coal Mines) Rules, 1982, as subsequently amended (hereinafter referred to as the said rules), is hereby published, as required by sub-section (1) of section 106 of the said Act, for the information of persons likely to be affected thereby.

The draft will be taken into consideration on or after the expiry of a period of fourteen days from the date of publication of the notification in the *Official Gazette*, and any objection or suggestion in writing with respect thereto which may be received by the indersigned before the expiry of the period as specified above shall be duly considered.

Draft Amendments

In the said rules, in Form VII,—

(1) for the words and brackets "(name of the owner of a coal-bearing land)", *substitute* the word and brackets "(Addressee)";

(2) for the words and brackets "(address of the owner)", *substitute* the word and brackets "(Address)";

(3) in the first paragraph of the preamble, for the words and brackets "(name of the defaulting owner of a tea-estate/coal-bearing land)", *substitute* the words and brackets, (name of the defaulting owner of a coal-bearing land)".

2. This notification shall come into force and shall be deemed to have come into force from the 1st day of February, 1993.

By order of the Governor,

J. R. SAHA,
Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-16

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 9] WEDNESDAY, FEBRUARY 28, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 421-L.—28th February, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 13 of 1996

THE WEST BENGAL APPROPRIATION BILL, 1996.

A
BILL

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of West Bengal for the services and purposes of the year ending on the thirty-first day of March, 1996.

WHEREAS it is expedient to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of West Bengal for the services and purposes of the year ending on the thirty-first day of March, 1996;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title.

1. This Act may be called the West Bengal Appropriation Act, 1996.

The West Bengal Appropriation Bill, 1996.

(Clauses 2, 3.)

Issue of Rs. 9,94,63,77,999 out of the Consolidated Fund of West Bengal for the year 1995-96.

2. From and out of the Consolidated Fund of West Bengal there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of rupees nine hundred ninety-four crores sixty-three lakhs seventy-seven thousand nine hundred and ninety-nine towards defraying the several charges which will come in course of payment during the year ending on the thirty-first day of March, 1996, in respect of the services and purposes specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of West Bengal by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the year ending on the thirty-first day of March, 1996.

The West Bengal Appropriation Bill, 1996.

(Schedule.)

SCHEDULE

(*See* sections 2 and 3.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	A—General Services			
	(a) Organs of State			
1	2011—State Legislature ..	9,97,000	*3,58,000*	13,55,000
Serial 2	2012—Governor ..	..	*13,01,000*	13,01,000
3	2013—Council of Ministers ..	2,95,000	..	2,95,000
4	2014—Administration of Justice ..	4,04,46,000	*2,15,09,000*	6,19,55,000
5	2015—Elections ..	14,97,84,000	*1,000*	14,97,85,000
	(b) Fiscal Services			
	(ii) Collection of Taxes on Property and Capital Transactions			
	2029—Land Revenue ..	16,31,45,000	..	16,31,45,000
	Capital Expenditure Outside the Revenue Account			
7	**C—Capital Account of Economic Services**			
	(i) Capital Account of General Economic Services			
	5475—Capital Outlay on Other General Economic Services. ..	13,00,000	..	13,00,000
	Total ..	16,44,45,000	..	16,44,45,000
	REVENUE ACCOUNT			
	A—General Services			
	(b) Fiscal Services			
	(ii) Collection of Taxes on Property and Capital Transactions			
9	2035—Collection of Other Taxes on Property and Capital Transactions. ..	20,000	..	20,000

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(iii) Collection of Taxes on Commodities and Services			
10	2039—State Excise ..	24,90,000	..	24,90,000
11	2040—Taxes on Sales, Trades etc. ..	33,89,000	*9,502*	33,98,502
	(iv) Other Fiscal Services			
14	2047—Other Fiscal Services ..	11,20,000	..	11,20,000
	(c) Interest Payment and Servicing of Debt			
16	2049—Interest Payments ..	5,00,000	..	5,00,000
	(d) Administrative Services			
Serial 17	2051—Public Service Commission ..	..	*8,99,000*	8,99,000
18	2052—Secretariat—General Services ..	4,05,57,000	..	4,05,57,000
19	2053—District Administration ..	1,32,75,000	..	1,32,75,000
20	2054—Treasury and Accounts Administration ..	95,38,000	..	95,38,000
21	2055—Police ..	9,69,50,000	*2,23,500*	9,71,73,500
22	2056—Jails ..	1,50,48,000	..	1,50,48,000
24	2058—Stationery and Printing ..	32,60,000	..	32,60,000
	REVENUE ACCOUNT			
	A—General Services			
	(d) Administrative Services			
	2059—Public Works ..	15,17,20,000	..	15,17,20,000
	(Public Works under Functional Heads)			
	(j) General Economic Services			
	Capital Expenditure Outside the Revenue Account			
	A—Capital Account of General Services			
25	4059—Capital Outlay on Public Works ..	..	*12,34,373*	12,34,373
	B—Capital Account of Social Services			
	(b) Capital Account of Health and Family Welfare			
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health) (Buildings). ..	..	*61,77,089*	61,77,089
	Total ..	15,17,20,000	*74,11,462*	15,91,31,462

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	A—General Services			
	(d) Administrative Services			
26	2070—Other Administrative Services (Fire Protection and Control). ..	20,55,000	..	20,55,000
27	2070—Other Administrative Services (Excluding Fire Protection and Control). ..	3,43,25,000	..	3,43,25,000
	REVENUE ACCOUNT			
	A—General Services			
	(e) Pension and Miscellaneous General Services			
28	2071—Pensions and Other Retirement Benefits ..	53,72,97,000	*1,08,033*	53,74,05,033
29	2075—Miscellaneous General Services ..	24,95,000	..	24,95,000

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
30	2202—General Education ..	..	*24,180*	24,180
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
31	2204—Sports and Youth Services ..	2,45,36,000	..	2,45,36,000
	(b) Health and Family Welfare			
32	2210—Medical and Public Health (Excluding Public Health). ..	20,08,58,000	*1,03,21,307*	21,11,79,307
33	2210—Medical and Public Health (Public Health) ..	95,17,000	..	95,17,000
34	2211—Family Welfare ..	5,37,35,000	*31,80,858*	5,69,15,858
	(c) Water Supply, Sanitation, Housing and Urban Development			
35	2215—Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution). ..	23,57,79,000	..	23,57,79,000

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
36	2216—Housing ..	74,93,000	..	74,93,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4216—Capital Outlay on Housing ..	..	*3,70,000*	3,70,000
	Total ..	74,93,000	*3,70,000*	78,63,000
	REVENUE ACCOUNT			
	B—Social Services			
	(d) Information and Broadcasting			
38	2220—Information and Publicity ..	98,45,000	..	98,45,000
	(g) Social Welfare and Nutrition			
40	2235—Social Security and Welfare (Rehabilitation)	2,41,85,000	*50,00,000*	2,91,85,000

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
41	4702—Capital Outlay on Minor Irrigation (Tribal Areas Sub-Plan). ..	45,10,000	..	45,10,000
	REVENUE ACCOUNT			
	B—Social Services			
	(g) Social Welfare and Nutrition			
42	2235—Social Security and Welfare (Social Welfare) ..	22,76,27,000	..	22,76,27,000
43	2236—Nutrition ..	46,48,000	..	46,48,000
44	2245—Relief on account of Natural Calamities ..	49,44,00,000	...	49,44,00,000
	(h) Others			
45	2251—Secretariat—Social Services ..	77,80,000	..	77,80,000

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(h) Others			
46	2250—Other Social Services ..	18,86,22,000	..	18,86,22,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	4250—Capital Outlay on Other Social Services ..	26,50,000	..	26,50,000
	Total ..	19,12,72,000	..	19,12,72,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
47	2401—Crop Husbandry ..	..	*8,500*	8,500
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4401—Capital Outlay on Crop Husbandry (Excluding Public Undertakings). ..	3,60,000	..	3,60,000
	Total ..	3,60,000	*8,500*	3,68,500

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
49	2403—Animal Husbandry ..	5,10,38,000	..	5,10,38,000
50	2404—Dairy Development ..	4,44,54,000	..	4,44,54,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4404—Capital Outlay on Dairy Development (Excluding Public Undertakings). ..	14,12,000	..	14,12,000
	Total ..	4,58,66,000	..	4,58,66,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
52	2406—Forestry and Wild Life ..	..	*33,50,000*	33,50,000

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
54	2408—Food, Storage and Warehousing ..	1,82,45,000	*4,65,300*	1,87,10,300
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4408—Capital Outlay on Food, Storage and Warehousing (Excluding Public Undertakings). ..	5,00,00,000	..	5,00,00,000
	Total ..	6,82,45,000	*4,65,300*	6,87,10,300
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
55	2415—Agricultural Research and Education ..	2,66,19,000	..	2,66,19,000
57	2425—Co-operation ..	50,60,000	..	50,60,000
58	2435—Other Agricultural Programmes ..	39,70,000	..	39,70,000

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(c) Special Areas Programmes			
65	2575—Other Special Areas Programmes ..	10,18,74,000	..	10,18,74,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(c) Capital Account of Special Areas Programmes			
	4575—Capital Outlay on Other Special Areas Programmes. ..	18,57,62,000	..	18,57,62,000
	Total ..	28,76,36,000	..	28,76,36,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
66	2701—Major and Medium Irrigation ..	3,59,25,000	..	3,59,25,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4701—Capital Outlay on Major and Medium Irrigation ..	..	*15,08,006*	15,08,006
	Total ..	3,59,25,000	*15,08,006*	3,74,33,006

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
67	2702—Minor Irrigation ..	8,81,73,000	..	8,81,73,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4702—Capital Outlay on Minor Irrigation ..	..	*48,864*	48,864
	Total ..	8,81,73,000	*48,864*	8,82,21,864
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
68	2711—Flood Control ..	39,09,000	..	39,09,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4711—Capital Outlay on Flood Control Projects ..	..	*97,078*	97,078
	Total ..	39,09,000	*97,078*	40,06,078

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(e) Capital Account of Energy			
69	4801—Capital Outlay on Power Projects ..	5,65,45,95,000	..	5,65,45,95,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(e) Energy			
72	2810—Non-Conventional Sources of Energy ..	1,50,000	..	1,50,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(f) Industry and Minerals			
73	2851—Village and Small Industries (Excluding Public Undertakings). ..	7,74,59,000	..	7,74,59,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings). ..	2,58,20,000	..	2,58,20,000
	F—Loans and Advances			
	6851—Loans for Village and Small Industries (Excluding Public Undertakings). ..	1,03,00,000	..	1,03,00,000
	Total ..	11,35,79,000	..	11,35,79,000

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(f) Industry and Minerals			
74	2852—Industries (Closed and Sick Industries) ..	8,15,40,000	..	8,15,40,000
75	2852—Industries (Excluding Public Undertakings and Closed and Sick Industries). ..	..	*1,80,11,000*	1,80,11,000
76	2853—Non-Ferrous Mining and Metallurgical Industries	80,000	..	80,000
	(g) Transport			
77	3051—Ports and Lighthouses ..	3,70,000	..	3,70,000

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(g) Transport			
79	3054— Roads and Bridges ..	10,80,64,000	*15,08,491*	10,95,72,491
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(g) Capital Account of Transport			
	5054—Capital Outlay on Roads and Bridges ..	42,65,000	*25,73,800*	68,38,800
	Total ..	11,23,29,000	*40,82,291*	11,64,11,291
	REVENUE ACCOUNT			
	C—Economic Services			
	(g) Transport			
80	3055—Road Transport ..	26,12,60,000	..	26,12,60,000
	3056—Inland Water Transport ..	3,95,000	..	3,95,000
	F—Loans and Advances			
	7055—Loans for Road Transport ..	1,65,00,000	..	1,65,00,000
	Total ..	27,81,55,000	..	27,81,55,000

The West Bengal Appropriation Bill, 1996

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(i) Science, Technology and Environment			
82	3425—Other Scientific Research ..	23,000	..	23,000
	(j) General Economic Services			
83	3451—Secretariat—Economic Services ..	1,57,55,000	..	1,57,55,000
85	3454—Census, Surveys and Statistics ..	..	*1,46,850*	1,46,850
86	3456—Civil Supplies ..	28,60,000	..	28,60,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(j) Capital Account of General Economic Services			
87	5465—Investment in General Financial and Trading Institutions. ..	2,07,83,000	..	2,07,83,000

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(j) General Economic Services			
88	3475—Other General Economic Services ..	2,35,000	*23,80,268*	26,15,268
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
92	4858—Capital Outlay on Engineering Industries (Public Undertakings). ..	3,19,97,000	..	3,19,97,000
	F—Loans and Advances			
	6857—Loans for Chemical and Pharmaceutical Industries (Public Undertakings). ..	71,00,000	..	71,00,000
	6858—Loans for Engineering Industries (Public Undertakings). ..	1,98,00,000	..	1,98,00,000
	6860—Loans for Consumer Industries (Public Undertakings). ..	10,00,000	..	10,00,000
	Total ..	5,98,97,000	..	5,98,97,000

The West Bengal Appropriation Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
93	4885—Other Capital Outlay on Industries and Minerals (Excluding Public Undertakings). ..	7,22,20,000	..	7,22,20,000
	F—Loans and Advances			
	6885—Loans for Other Industries and Minerals (Excluding Public Undertakings). ..	2,00,00,000	..	2,00,00,000
	Total ..	9,22,20,000	..	9,22,20,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
	F—Loans and Advances			
95	6860—Loans for Consumer Industries (Excluding Public Undertakings and Closed and Sick Industries). ..	5,00,00,000	..	5,00,00,000
	Grand Total ..	**9,86,55,63,000**	***8,08,14,999***	**9,94,63,77,999**

STATEMENT OF OBJECTS AND REASONS.

The object of the Bill is to provide for the appropriation out of the Consolidated Fund of West Bengal of the moneys required for the year 1995-96 to meet—

(a) the supplementary or additional grants made by the Assembly, and
(b) the supplementary or additional expenditure charged on the Consolidated Fund of West Bengal, but not exceeding, in any case, the amount shown in the Statement previously laid before the House in pursuance of article 205(1) of the Constitution of India.

2. Under the Constitution of India no money can be withdrawn from the Consolidated Fund of West Bengal except in accordance with an appropriation made by law.

CALCUTTA,
The 28th February, 1996.

ASIM KUMAR DASGUPTA,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-17

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 9] WEDNESDAY, FEBRUARY 28, 1996 [SAKA 1917

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 422 -L.—28th February, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 14 of 1996

THE WEST BENGAL ACUPUNCTURE SYSTEM OF THERAPY BILL, 1996.

A
BILL

to provide for the development of the Acupuncture system of therapy, to regulate the teaching and practice thereof and to deal with certain other connected matters.

WHEREAS it is expedient to provide for the development of the Acupuncture system of therapy, to regulate the teaching and practice thereof and to deal with certain other connected matters;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title, extent and commencement

1. (1) This Act may be called the West Bengal Acupuncture System of Therapy Act, 1996.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

The West Bengal Acupuncture System of Therapy Bill, 1996.

(Clauses 2-4.)

2. In this Act, unless the context otherwise requires,—

(1) "Acupuncture" means the Acupuncture system of therapy recommended by the World Health Organisation and the Council of Acupuncture Therapy, West Bengal;

(2) "Council" means the Council of Acupuncture Therapy, West Bengal, constituted under section 3;

(3) "member" means a member of the Council;

(4) "prescribed" means prescribed by rules;

(5) "President" means the President of the Council;

(6) "Register" means the Register of Acupuncture practitioners maintained under this Act;

(7) "registered Acupuncture practitioner" means an Acupuncture practitioner registered under the provisions of this Act;

(8) "Registrar" means the Registrar of the Council;

(9) "regulations" means the regulations made by the Council under this Act;

(10) "rules" means the rules made by the State Government under this Act;

(11) "teacher" means any person appointed by an Acupuncture institution affiliated to, or recognised by, the Council to hold a teaching post;

(12) "Vice-President" means the Vice-President of the Council.

Constitution of Council.

3. As soon as may be after the commencement of this Act, the State Government shall, by notification in the *Official Gazette*, establish a body corporate with perpetual succession and a common seal named the Council of Acupuncture Therapy, West Bengal. The Council shall be entitled to acquire and hold movable and immovable property, to transfer such property, to contract and to do all things necessary for the purposes of this Act and shall by its name sue and be sued.

Composition of Council.

4. (1) The Council shall consist of the following members:—

(a) a President nominated by the State Government;

(b) five members nominated by the State Government of whom three shall be registered Acupuncture practitioners;

(c) one member nominated by the University of Calcutta;

(d) one member nominated by the Jadavpur University;

(e) the Director of Dr. B. K. Basu Memorial Institute of Acupuncture Training and Research, *ex officio*;

(f) four members who are citizens of India, elected from such constituencies and in such manner as may be prescribed, by the registered Acupuncture practitioners from among themselves.

(2) Notwithstanding anything contained in the foregoing sub-section or elsewhere in this Act, on the first constitution of the Council all the members of the Council shall be nominated by the State Government, and the State Government shall also nominate one of the members to be the Vice-President.

The West Bengal Acupuncture System of Therapy Bill, 1996.

(Clauses 5-11.)

Power of State Government to nominate members in certain circumstances.

5. If the nominating authority referred to in clause (c) and clause (d) of sub-section (1) of section 4, or the electoral body referred to in clause (f) of the said sub-section, fails by the prescribed date to nominate or elect the requisite number of member or members which such authority or body is entitled to nominate or elect, the State Government shall fill up the office of such member or members by nomination of a person or persons qualified to be nominated or elected by such authority or body. Any person so nominated by the State Government shall be deemed to have been duly nominated or elected a member by such authority or body.

Disqualification for nomination or election.

6. A person shall be disqualified for being nominated or elected a member of the Council, if—

(1) he has been convicted of any offence involving moral turpitude;
(2) he is an undischarged insolvent;
(3) he has been adjudged by a competent court to be of unsound mind;
(4) he is an employee of the Council;
(5) he has directly or indirectly any share or interest in any contract with, by or on behalf of the Council;
(6) he has been dismissed from the service of the Central Government or a State Government or a local authority on a charge of gross misconduct or an offence involving moral turpitude;
(7) he is a person under the age of 25.

Publication of names of members.

7. The name of every member nominated or elected under section 4 or section 5 shall be published by the State Government in the *Official Gazette.*

Cessation of membership.

8. A person shall cease to be a member of the Council—

(1) if, without obtaining the permission of the Council, he is absent from three consecutive meetings of the Council; or
(2) if, having been nominated or elected as a registered Acupuncture practitioner, he ceases to be such a registered practitioner; or
(3) if he becomes subject to any of the disqualifications referred to in section 6.

Filling of casual vacancies.

9. (1) If any member dies or resigns his office or ceases to be a member for any other reason, the vacancy shall be filled up within six months by a fresh nomination or election under section 4 or section 5, as the case may be, and the member so nominated or elected shall hold office for the unexpired period of the term of office of the member whose place he fills.

(2) If any member referred to in clause (b), clause (c), clause (d), clause (e) or clause (f) of sub-section (1) of section 4 is nominated President, there shall be a vacancy in that membership which shall be filled up under sub-section (1) of this section.

Term of office of members.

10. (1) Subject to the provisions of section 9, the term of office of the members nominated or elected under section 4 or section 5 shall be for four years commencing from the date of the first meeting of the Council after its first constitution or any subsequent periodical reconstitution, as the case may be.

(2) The term of four years referred to in sub-section (1) shall be held to include any period which may elapse between the expiry of the said period of four years and the date of the first meeting of the Council following its reconstitution at which a quorum is present.

Resignation

11. The President, the Vice-President or a member may resign his office by writing under his hand addressed to the State Government, of which he shall send a copy to the Council.

The West Bengal Acupuncture System of Therapy Bill, 1996.

(Clauses 12-15.)

The President

12. (1) The President shall hold office for the period mentioned in section 10 or until his successor is nominated, whichever is later.

(2) If the President dies or resigns his office or ceases to hold office, the State Government shall nominate another person as President and such President shall hold office for the unexpired portion of the term of office of the former President in whose place he is so nominated.

(3) In the event of the occurrence of any vacancy in the office of the President under sub-section (2), the Vice-President shall discharge the functions of the President until a new President is nominated.

(4) When the President is unable to discharge the duties of his office owing to absence, illness or any other cause, the Vice-President shall discharge the functions of the President until the date on which the President resumes his duties.

The Vice-President.

13. (1) The members of the Council shall, at the first meeting after every periodical reconstitution of the Council, elect a Vice-President from among themselves in such manner as may be prescribed.

(2) The Vice-President shall hold office for the period mentioned in section 10:

Provided that a Vice-President shall cease to hold office if he ceases to be a member of the Council.

(3) If the Vice-President dies or resigns his office or ceases to hold office, the members of the Council shall elect from among themselves another Vice-President in such manner as may be prescribed, and such Vice-President shall hold office for the unexpired portion of the term of office of the former Vice-President whose office he fills.

Executive Committee

14. (1) The members of the Council shall constitute from among themselves an Executive Committee to perform such functions, discharge such duties and exercise such powers as may be delegated to it by the Council.

(2) The Executive Committee shall consist of the President and the Vice-President, *ex officio*, and three other members elected by the members of the Council in the prescribed manner from among themselves.

(3) The President and the Vice-President of the Council shall be the President and the Vice-President, respectively, of the Executive Committee.

(4) The term of office of an elected member of the Executive Committee shall be two years from the date of his election, but, subject to his being a member of the Council, he shall be eligible for re-election to the Executive Committee.

(5) No business shall be transacted at any meeting of the Executive Committee unless a quorum of three members be present.

(6) The Council may, subject to the approval of the State Government, appoint from time to time one or more Committee consisting of members of the Council or outsiders or both; on such terms as may be approved by the State Government, for the purpose of advising it on such matters as it deems necessary, and may appoint, for any such Committee, a Chairman who shall convene and preside over the meetings of the Committee.

Meetings

15. (1) The Council shall hold its meetings at such intervals and at such places as may be provided by regulations.

(2) No business shall be transacted at any meeting of the Council unless a quorum of five members be present.

(3) Save as provided in clause (b) of sub-section (2) of section 21, all questions arising at any meeting shall be decided by votes of the majority of the members present and voting and, in the case of an equality of votes, by the casting vote of the President or, in his absence, of the member presiding at the meeting.

The West Bengal Acupuncture System of Therapy Bill, 1996.

(Clauses 16, 17.)

Powers of Council

16. The Council shall have the following powers:—

(1) with the approval of the State Government, to establish institutions teaching the Acupuncture system of medicine and to grant or refuse affilitation to such institutions or to withdraw, after giving the authority of an institution an opportunity to show cause against the action proposed to be taken, such affiliation;

(2) to call on the authority of an institution affiliated to the Council or of an institution applying for affiliation to furnish, within such period as may be specified, such reports, returns or other information as the Council may require to judge the efficiency of the institution;

(3) to hold examinations for persons who shall have pursued a course of study in institutions affiliated to the Council, and to confer degrees, diplomas and certificates on them on having passed the necessary examinations;

(4) to provide by regulations courses of study for different examinations held by the Council;

(5) to provide for instructions or for refresher courses in such branches of medical science as would be useful to persons studying the Acupuncture system of therapy;

(6) to appoint examiners and to publish the results of the examinations held by it;

(7) to confer honorary degree on Acupuncture practitioners of extraordinary merit;

(8) to exercise general supervision over the residential and disciplinary arrangements made by the institutions affiliated to the Council and arrangements for promoting the health and general welfare of the students of such institutions;

(9) to recommend to the State Government the sanction of a grant to an affiliated institution teaching the Acupuncture system to therapy or the withdrawal or suspention, after giving the institution concerned an opportunity of showing cause against the action proposed, of any such grant;

(10) to appoint, on such terms as the Council may, with the previous sanction of the State Government, determine, such number of inspectors for the inspection of institutions teaching the Acupuncture system of therapy as the Council may deem fit;

(11) to advise the State Government in the matter of research in Acupuncture system of therapy;

(12) to perform such other functions as the State Government may direct or, on the recommendation of the Council, approve for carrying out the provisions of this Act.

Registrar and staff

17. (1) The Director of the Dr. B. K. Basu Memorial Research and Training Institute of Acupuncture shall act as the Registrar of the Council in addition to his own duties. The officers and staff of the said Institute shall also function under the Registrar in addition to their own duties.

(2) The Registrar shall act as the Secretary to the Council and the Executive Committee.

The West Bengal Acupuncture System of Therapy Bill, 1996.

(Clauses 18-26.)

Registration of Acupuncture practitioners

18. (1) The Council shall maintain a Register of Acupuncture practitioners in such form as may be prescribed.

(2) The Registrar shall from time to time make necessary entries in the Register in respect of the persons whose names are to be registered, their qualifications and their addresses and may also from time to time make such alterations or modifications therein as may be required in consequence of any orders passed by the Council.

Persons entitled to be registered

19. Every person who possesses a qualification recognised by the Council shall, subject to the provisions of this Act, be entitled to have his name entered in the Register.

Application for registration

20. Every person who desires to have his name entered in the Register shall submit to the Registrar an application in the prescribed form stating—

(a) the particulars of his qualifications, and

(b) his address which shall be his registered address.

Power of Council to refuse registration or to remove name from Register in certain cases

21. (1) The Council may, on being satisfied that a person is qualified for registration under section 19, direct that his name be entered in the Register, and the Registrar shall thereupon make necessary entries in the Register and grant him a certificate of registration.

(2) The Council may refuse to permit the registration, or direct the removal from the Register, of the name of any person—

(a) who has been convicted of any offence involving moral turpitude; or

(b) who has been found guilty of infamous conduct in his professional capacity by a majority of at least two-thirds of the members of the Council after a due enquiry into his conduct at which he has had an opportunity of being heard in person or of being duly represented.

(3) Any refusal or removal under sub-section (2) may be rescinded if the conduct on the basis of which refusal or removal was directed is condoned for good and sufficient reasons.

Cancellation of fraudulent and incorrect entries

22. Any entry in the Register, which is proved to the satisfaction of the Council to have been fraudulently or incorrectly made, may be cancelled under an order in writing of the Council.

Appeal.

23. An appeal shall lie to the State Government against any decision or order of the Council refusing to enter the name of a person in the Register or removing his name from the Register, if filed within three months of the date of decision or order, and the decision of the State Government shall be final.

Notice of death and removal of name from Register.

24. The Council may, on receipt of reliable information regarding the death of a person whose name is entered in the Register, and on making such enquiry as it may think fit, direct the removal of his name from the Register and thereupon the Registrar shall cancel the entry relating to such person.

Penalty on unregistered person representing that he is registered.

25. If any person, whose name is not entered in the Register, falsely pretends that it is so entered or uses, in connection with his name, any words or letters representing that his name is so entered, he shall, whether any person is actually deceived by such representation or not, be punishable, on conviction by a Metropolitan Magistrate or a Magistrate of the First Class having jurisdiction, with imprisonment which may extend to six months or with fine which may extend to five hundred rupees.

Penalty for failure to surrender certificate of registration.

26. (1) If any person, whose name has been removed from the Register under sub-section (2) of section 21, fails, without sufficient cause, forthwith to surrender his certificate of registration, he shall be punishable with fine which may extent to fifty rupees.

The West Bengal Acupuncture System of Therapy Bill, 1996.

(Clauses 27-30.)

(2) No cognizance of an offence punishable under this section shall be taken except upon complaint made by an order of the Council.

Prohibition of unauthorised conferment of degree, diploma, etc and penalty for such conferment

27. (1) Except the Council, no person, association or institition, not recognised by the Council, shall confer, grant or issue, or hold himself or itself out as entitled to confer, grant or issue, any degree, diploma, licence, certificate or any other document stating or implying that the holder, grantee or recepient thereof is qualified to practise the Acupuncture system of therapy.

(2) Any contravention of the provisions of sub-section (1) shall be punishable with imprisonment which may extend to one year or with fine which may extend to one thousand rupees or with both; and if an association or institution is guilty of such contravention, every member thereof, who knowingly or wilfully authorises or permits the contravention, shall be punishable with imprisonment which may extend to one year or with fine which may extend to one thousand rupees or with both.

Penalty for improper assumption of Acupuncture qualifications

28. (1) No person shall use any letters or figures after his name indicting or implying that he possesses any degree, diploma, licence, or certificate as an Acupuncture practitioner unless such degree, diploma, licence or certificate has been conferred by the Council, or is recognised by it with the approval of the State Government.

(2) Whoever contravenes the provisions of sub-section (1) shall be punishable, on first conviction, with fine which may extend to two hundred rupees, and, on any subsequent conviction, with fine which may extend to five hundred rupees.

Publication and use of registration list.

29. (1) The Registrar shall, from time to time as occasion may require, on or before the date to be fixed in this behalf by the Council, cause to be printed and published (provided that at least twelve months shall have elapsed from the date of the last publication) a correct list of the names for the time being entered in the Register setting forth therein—

(a) names of all registered Acupuncture practitioners arranged in alphabetical order according to surname;

(b) the registered address of each such person; and

(c) the registered qualifications of each such person and the date on which each qualification was obtained.

(2) The Registrar shall, from time to time as occasion arises, cause to be printed and published a list supplementary thereto, containing additions and alterations in the Register since the publication of the list under sub-section (1).

(3) Every court shall presume that any person whose name is entered in the latest list printed and published under sub-section (1), read with the latest list supplementary thereto, if any, printed and published under sub-section (2), is duly registered under this Act, and that any person whose name is not so entered is not registered under this Act:

Provided that in the case of any person whose name does not appear in the latest list printed and published under sub-section (1), read with the latest list supplementary thereto, if any, printed and published under sub-section (2), a certified copy of the entry of the name of such person in the Register, signed by the Registrar, shall be evidence that such person is registered under this Act.

Acupuncture practitioners, other than those registered under the Act, not eligible for certain appointments.

30. Except with the special sanction of the State Government, no Acupuncture practitioner, other than a registered Acupuncture practitioner whose name is entered in the Register, shall be competent to hold any appointment as a medical officer or teacher in any Acupuncture hospital, asylum, infirmary, dispensary or lying-in-hospital set up under any law for the time being in force or in any Acupuncture educational institution which is recognised by the Council.

The West Bengal Acupuncture System of Therapy Bill, 1996.

(Clauses 31-37.)

Control of manufacture, storage and sale of Acupuncture instruments

31. Subject to the provisions of any law for the time being in force relating to instruments, the State Government shall have the power to regulate and control manufacture, storage or sale of Acupuncture instruments by the grant of licences to manufacturers, stockists and sellers on such conditions as may be prescribed.

Bar of suit or other legal proceedings

32. No suit, prosecution or other legal proceedings shall lie in respect of any act or thing done or omitted to be done in the exercise or purported exercise of any power conferred by or under this Act on the State Government or the Council or the Executive Committee or any Committee appointed by the Council or on the Registrar.

Validation

33. No act or thing done by the Council, the Executive Committee or a Committee appointed by the Council shall be invalid merely on the ground of any vacancy in or defect in the composition of, the Council, the Executive Committee or such Committee.

Power to make rules.

34. (1) The State Government may, from time to time, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters:—

(i) the election of members of the Council and the Executive Committee, and the election of the Vice-President;

(ii) the functions to be performed by the President and the Vice-President;

(iii) the conditions for the grant of licences under section 31;

(iv) the procedure to be followed by the Council in—

(a) conducting an enquiry under clause (b) of sub-section (2) of section 21;

(b) disposing of appeals from the decision of the Registrar preferred under section 23;

(v) any other matter which may be, or is required to be, prescribed under this Act.

Power to make regulations

35. (1) The Council may, with the previous approval of the State Government, make regulations, not inconsistent with the provisions of this Act or the rules made thereunder, for discharging its functions under this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters:—

(i) the conduct of business of the Executive Committee and of Committee appointed by the Council;

(ii) the time and place at which each meeting shall be held;

(iii) the issue of notices convening such meeting;

(iv) the conduct of business thereat;

(v) any matter for which power to make regulations is conferred expressly or by implication on the Council by this Act.

Publication of rules and regulations.

36. All rules and regulations shall be published in the *Official Gazette.*

Control on Council by State Government

37. If, at any time, it appears to the State Government that the Council has failed to exercise or has exceeded or abused a power conferred upon it by or under this Act or has failed to perform a duty imposed upon it by this Act, the State Government

The West Bengal Acupuncture System of Therapy Bill, 1996.

(Clause 37.)

may, if it considers such failure, excess or abuse to be of a serious character, after giving the Council an opportunity of being heard, notify the particulars thereof to the Council, and if the Council fails to remedy such failure, excess or abuse within such time as may be fixed by the State Government in this behalf, the State Government may dissolve the Council and cause all or any of the powers and duties of the Council to be exercised and performed by such agency and for such period as it may think fit.

STATEMENT OF OBJECTS AND REASONS.

It is considered necessary and expedient to provide for the development of the Acupuncture system of therapy, to regulate the teaching and practice thereof and to deal with certain other connected matters.

2. The Bill has been framed with the above objects in view.

CALCUTTA.
The 26th February, 1996.

PRASANTA KUMAR SUR,
Member-in-charge.

FINANCIAL MEMORANDUM.

Some financial transactions may be necessary for operation of the Bill. But these cannot be quantified now.

CALCUTTA.
The 26th February, 1996.

PRASANTA KUMAR SUR,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-17

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 17] FRIDAY, JUNE 7, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No 958-L.—7th June, 1996—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information.—

Bill No. 15 of 1996

THE WEST BENGAL SCHEDULED CASTES AND SCHEDULED TRIBES (RESERVATION OF VACANCIES IN SERVICES AND POSTS) (AMENDMENT) BILL, 1996.

A
BILL

to amend the West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1976.

WHEREAS it is expedient to amend the West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1976, for the purposes and in the manner hereinafter appearing, West Ben Act XXVII of 1976

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) (Amendment) Act, 1996.

(2) It shall come into force at once

The West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) (Amendment) Bill, 1996.

(Clauses 2-6.)

Insertion of new section 5A in West Ben. Act XXVII of 1976.

2. After section 5 of the West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1976 (hereinafter referred to as the principal Act), the following section shall be inserted:—

"Certificate of identification

5A. A candidate who claims to be a member of the Scheduled Castes or the Scheduled Tribes shall support his candidature by a certificate of identification in accordance with the provisions of the West Bengal Scheduled Castes and Scheduled Tribes (Identification) Act, 1994.". West Ben. Act XXXVIII of 1994.

Amendment of section 6.

3. In section 6 of the principal Act, after sub-section (2), the following sub-section shall be inserted:—

"(3) Notwithstanding anything contained in the foregoing provisions of this section or elsewhere in this Act, if, in the public interest, it is necessary or expedient to fill up any vacancy in any post in any primary, secondary or higher secondary school in any district owned or aided by the State Government, caused by deputation or leave of the incumbent of that post for a period not exceeding ten months and remaining unfilled on account of non-availability of a qualified Scheduled Caste or Scheduled Tribe candidate, as the case may be, the appointing authority may refer the vacancy to the District Commissioner for Reservation, referred to in sub-section (1), or sub-section (1A), as the case may be, of section 6B, for that district for dereservation. Upon such reference, the District Commissioner for Reservation as aforesaid may, if he is satisfied that it is necessary or expedient so to do, by order, dereserve the vacancy, subject to the condition that the reservation against the vacancy so dereserved shall be carried forward against the subsequent unreserved vacancy in any such post caused by such deputation or leave for such period.".

Amendment of section 6A.

4. In section 6A of the principal Act,—

(1) in sub-section (2), after clause (a), the following clause shall be inserted:—

"(a1) having its offices and fixed territorial jurisdiction in Calcutta, or";

(2) after sub-section (3), the following sub-section shall be inserted:—

"(4) Where a complaint is filed in any court having jurisdiction against an appointing authority under sub-section (3) for contravening any provision of this Act and thereby committing an offence punishable under section 7, the burden of proof that no contravention of any provision of this Act has been made by him, shall lie with him.".

Amendment of section 6B.

5. In section 6B of the principal Act,—

(1) after sub-section (1), the following sub-section shall be inserted:—

"(1A) For the purposes of this section, Calcutta as defined in the *Explanation* to sub-section (2) of section 6A, shall be deemed to be a district, and the District Magistrate, South 24-Parganas, shall be the District Commissioner for that district.";

(2) after sub-section (3), the following sub-section shall be inserted:—

"(4) Where a complaint is filed in any court having jurisdiction against an appointing authority under sub-section (3) for contravening any provision of this Act and thereby committing an offence punishable under section 7, the burden of proof that no contravention of any provision of this Act has been made by him, shall lie with him.".

Amendment of section 7.

6. In section 7 of the principal Act, for the words "he shall be punishable with fine which may extend to two hundred and fifty rupees:", the words, figures and brackets "or fails to maintain records, or to furnish the annual return, referred to in sub-section (1) of section 12, he shall be punishable with imprisonment for a term of five years, or with fine of two thousand and five hundred rupees, or with both:" shall be substituted.

The West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) (Amendment) Bill, 1996.

(Clause 7.)

Amendment of Schedule.

7. In the Schedule to the principal Act, paragraph (ix) shall be omitted.

STATEMENT OF OBJECTS AND REASONS.

Clause (4) of article 16 of the Constitution of India provides that nothing in that article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services of the State. By virtue of the provisions of the Constitution, the West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1976, was passed by the Legislative Assembly and the said Act was brought into force with effect from the 15th of August, 1976. After a lapse of 19 years it has come to the notice of the Government that there are some shortcomings and deficiencies in some of the provisions of the said Act and, under this background, it is necessary to rectify or amend certain provisions of the said Act or to include certain provisions in the said Act for the well-being of the backward classes of citizens not being served to the extent desired by the Government.

2. Besides, in the State Act, there is provision to institute legal suits against any appointing authority for violation of the State Act but the punishment or fine prescribed in that provision is so meagre that the appointing authority may have a scope to violate the provisions thereof. It is, therefore, further necessary to enhance penal measure so that the appointing authorities may not dare to violate the provisions of the law.

3. It is also necessary to empower the District Magistrate and *ex-officio* District Commissioner for Reservation to dereserve deputation or leave vacancies in the educational institutions as the procedural formalities take considerable time to issue dereservation order on behalf of the Government.

4. The Bill has been framed with a view to removing the shortcomings and the deficiencies as aforesaid. Some additional provisions also have been incorporated for better enforcement of the law.

5. There is no financial implication involved in the Bill.

CALCUTTA,
The 6th June, 1996.

DINESH CHANDRA DAKUA,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-4**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 28] MONDAY, MARCH 18, 1996 [SAKA 1917

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 521-L.—18th March, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act I of 1996

THE WEST BENGAL APPROPRIATION (VOTE ON ACCOUNT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 18th March, 1996.]

An Act to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of West Bengal for the services and purposes of a part of the year ending on the thirty-first day of March, 1997.

WHEREAS it is expedient to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of West Bengal for the services and purposes of a part of the year ending on the thirty-first day of March, 1997;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title

1. This Act may be called the West Bengal Appropriation (Vote on Account) Act, 1996.

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Sections 2, 3.)

Issue of Rs. 52,83,61,63,000 out of the Consolidated Fund of West Bengal for the year 1996-97.

2. From and out of the Consolidated Fund of West Bengal there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of rupees five thousand two hundred eighty-three crores sixty-one lakhs and sixty-three thousand towards defraying the several charges which will come in course of payment during the year ending on the thirty-first day of March, 1997, in respect of the services and purposes specified in column 2 of the Schedule.

Appropriation

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of West Bengal by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the year ending on the thirty-first day of March, 1997.

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

SCHEDULE

(*See* sections 2 and 3.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	A—General Services			
	(a) Organs of State			
1	2011—State Legislature ..	2,27,00,000	*3,00,000*	2,30,00,000
Serial 2	2012—Governor ..	..	*51,00,000*	51,00,000
3	2013—Council of Ministers ..	62,00,000	..	62,00,000
4	2014—Administration of Justice ..	17,22,00,000	*5,26,00,000*	22,48,00,000
5	2015—Elections ..	37,36,00,000	*3,000*	37,36,03,000
	(b) Fiscal Services			
	(i) Collection of Taxes on Income and Expenditure			
6	2020—Collection of Taxes on Income and Expenditure	1,13,00,000	*1,000*	1,13,01,000
	(ii) Collection of Taxes on Property and Capital Transactions			
	2029—Land Revenue ..	50,45,00,000	*34,000*	50,45,34,000
	Capital Expenditure Outside the Revenue Account			
7	**C—Capital Account of Economic Services**			
	(i) Capital Account of General Economic Services			
	5475—Capital Outlay on Other General Economic Services. ..	22,00,000	..	22,00,000
	Total ..	50,67,00,000	*34,000*	50,67,34,000
	REVENUE ACCOUNT			
	A—General Services			
	(b) Fiscal Services			
	(ii) Collection of Taxes on Property and Capital Transactions			
8	2030—Stamps and Registration ..	8,77,00,000	..	8,77,00,000
9	2035—Collection of Other Taxes on Property and Capital Transactions. ..	9,00,000	..	9,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(iii) Collection of Taxes on Commodities and Services			
10	2039—State Excise ..	7,84,00,000	..	7,84,00,000
11	2040—Taxes on Sales, Trade etc. ..	12,77,00,000	..	12,77,00,000
12	2041—Taxes on Vehicles ..	1,64,00,000	..	1,64,00,000
13	2045—Other Taxes and Duties on Commodities and Services. ..	3,76,00,000	..	3,76,00,000
	(iv) Other Fiscal Services			
14	2047—Other Fiscal Services ..	2,28,00,000	..	2,28,00,000
	(c) Interest Payment and Servicing of Debt			
16	2049—Interest Payments ..	12,00,000	*6,68,83,00,000*	6,68,95,00,000
	(d) Administrative Services			
Serial 17	2051—Public Service Commission ..	..	*99,00,000*	99,00,000
18	2052—Secretariat—General Services ..	11,47,00,000	..	11,47,00,000
19	2053—District Administration ..	11,09,00,000	..	11,09,00,000
20	2054—Treasury and Accounts Administration ..	8,15,00,000	..	8,15,00,000
21	2055—Police ..	2,77,02,00,000	..	2,77,02,00,000
22	2056—Jails ..	11,71,00,000	..	11,71,00,000
24	2058—Stationery and Printing ..	4,24,00,000	..	4,24,00,000
	2059—Public Works ..	51,03,00,000	*87,00,000*	51,90,00,000
	(Public Works under Functional Heads)			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
25	2205—Art and Culture (Buildings) ..	20,00,000	..	20,00,000
	(c) Water Supply, Sanitation,Housing and Urban Development			
	2216—Housing (Buildings) ..	2,17,00,000	..	2,17,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(h) Others			
	C—Economic Services			
	(f) Industry and Minerals			
	2853—Non-Ferous Mining and Metallurgical Industries (Buildings). ..	4,00,000	..	4,00,000
	(j) General Economic Services			
25	**Capital Expenditure Outside the Revenue Account**			
	A—Capital Account of General Services			
	4059—Capital Outlay on Public Works ..	14,26,00,000	*3,00,000*	14,29,00,000
	Capital Outlay on Public Works under Functional Heads			
	B—Capital Account of Social Services			
	(a) Education, Sports, Art and Culture			
	4202—Capital Outlay on Education, Sports, Art and Culture (Buildings). ..	5,99,00,000	..	5,99,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number	Services and purposes.	Voted by the Legislative Assembly	Charged on the Consolidated Fund.	Total.
		Rs	*Rs.*	Rs.
	(b) Health and Family Welfare			
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health) (Buildings). ..	11,21,00,000	..	11,21,00,000
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health) (Tribal Areas Sub-Plan) (Buildings). ..	36,00,000	..	36,00,000
	4210—Capital Outlay on Medical and Public Health (Public Health) (Buildings) ..	4,00,000	..	4,00,000
	4211—Capital Outlay on Family Welfare (Buildings)	2,00,000	..	2,00,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4216—Capital Outlay on Housing (Buildings) ..	5,87,00,000	..	5,87,00,000
25	**(d) Information and Broadcasting**			
	4220—Capital Outlay on Information and Publicity (Buildings). ..	2,00,000	..	2,00,000
	(h) Others			
	4250—Capital Outlay on Other Social Services (Buildings). ..	4,00,000	..	4,00,000
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4403—Capital Outlay on Animal Husbandry (Excluding Public Undertakings) (Buildings). ..	21,00,000	..	21,00,000
	4408—Capital Outlay on Food, Storage and Warehousing (Excluding Public Undertakings) (Buildings).	75,00,000	..	75,00,000
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings) (Buildings).	12,00,000	..	12,00,000
	Total ..	92,33,00,000	*90,00,000*	93,23,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	A—General Services			
	(d) Administrative Services			
26	2070—Other Administrative Services (Fire Protection and Control). . .	14,13,00,000	. .	14,13,00,000
27	2070—Other Administrative Services (Excluding Fire Protection and Control). . .	28,44,00,000	. .	28,44,00,000
	REVENUE ACCOUNT			
	A—General Services			
	(e) Pension and Miscellaneous General Services			
28	2071—Pensions and Other Retirement Benefits . .	1,96,31,00,000	*39,000*	1,96,31,39,000
29	2075—Miscellaneous General Services . .	2,96,00,000	. .	2,96,00,000
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
30	2202—General Education . .	7,67,03,00,000	. .	7,67,03,00,000
	2203—Technical Education . .	19,46,00,000	. .	19,46,00,000
	2205—Art and Culture . .	3,40,00,000	. .	3,40,00,000
	Capital Expenditure Outside the Revenue Account			
	F—Loans and Advances			
	6202—Loans for Education, Sports, Art and Culture . .	2,00,000	. .	2,00,000
	Total . .	7,89,91,00,000	. .	7,89,91,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
31	2204—Sports and Youth Services ..	9,75,00,000	..	9,75,00,000
	(b) Health and Family Welfare			
	2210—Medical and Public Health (Excluding Public Health). ..	1,73,29,00,000	..	1,73,29,00,000
	Capital Expenditure Outside the Revenue Account			
32	**B—Capital Account of Social Services**			
	(b) Health and Family Welfare			
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health). ..	17,00,000	..	17,00,000
	Total ..	1,73,46,00,000	..	1,73,46,00,000
	REVENUE ACCOUNT			
	B—Social Services			
	(b) Health and Family Welfare			
33	2210—Medical and Public Health (Public Health) ..	28,50,00,000	..	28,50,00,000
34	2211—Family Welfare ..	25,70,00,000	..	25,70,00,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	2215—Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution). ..	83,33,00,000	..	83,33,00,000
35	**F—Loans and Advances**			
	6215—Loans for Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution). ..	55,00,000	..	55,00,000
	Total ..	83,88,00,000	..	83,88,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
36	2216—Housing ..	8,54,00,000	*34,000*	8,54,34,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4216—Capital Outlay on Housing ..	11,55,00,000	..	11,55,00,000
	F—Loans and Advances			
	6216—Loans for Housing ..	84,00,000	..	84,00,000
	Total ..	20,93,00,000	*34,000*	20,93,34,000
	REVENUE ACCOUNT			
	B—Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
	2217—Urban Development ..	99,23,00,000	..	99,23,00,000
37	**Capital Expenditure Outside the Revenue Account**			
	B—Capital Account of Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4217—Capital Outlay on Urban Development ..	47,00,000	..	47,00,000
	F—Loans and Advances			
	6217—Loans for Urban Development ..	23,79,00,000	..	23,79,00,000
	Total ..	1,23,49,00,000	..	1,23,49,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(d) Information and Broadcasting			
	2220—Information and Publicity ..	6,64,00,000	..	6,64,00,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
38	**(d) Information and Publicity**			
	4220—Capital Outlay on Information and Publicity ..	12,00,000	..	12,00,000
	F—Loans and Advances			
	6220—Loans for Information and Publicity ..	30,00,000	..	30,00,000
	Total ..	7,06,00,000	..	7,06,00,000
	REVENUE ACCOUNT			
	B—Social Services			
	(f) Labour and Labour Welfare			
39	2230—Labour and Employment ..	14,05,00,000	..	14,05,00,000
	(g) Social Welfare and Nutrition			
	2235—Social Security and Welfare (Rehabilitation) ..	13,80,00,000	*50,00,000*	14,30,00,000
	Capital Expenditure Outside the Revenue Account			
40	**F—Loans and Advances**			
	6235—Loans for Social Security and Welfare (Rehabilitation). ..	2,00,000	..	2,00,000
	Total ..	13,82,00,000	*50,00,000*	14,32,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
41	2202—General Education (Tribal Areas Sub-Plan) ..	2,67,00,000	..	2,67,00,000
	2204—Sports & Youth Services (Tribal Areas Sub-Plan)	7,00,000	..	7,00,000
	(b) Health and Family Welfare			
	2210—Medical and Public Health (Excluding Public Health) (Tribal Areas Sub-Plan). ..	85,00,000	..	85,00,000
	2210—Medical and Public Health (Public Health) (Tribal Areas Sub-Plan). ..	16,00,000	..	16,00,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	2215—Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution) (Tribal Areas Sub-Plan). ..	1,35,00,000	..	1,35,00,000
	(e) Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes			
	2225—Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes. ..	44,44,00,000	..	44,44,00,000
	(g) Social Welfare and Nutrition			
	2235—Social Security and Welfare (Social Welfare) (Tribal Areas Sub-Plan). ..	5,00,000	..	5,00,000
	2236—Nutrition (Tribal Areas Sub-Plan) ..	10,00,000	..	10,00,000
	C—Economic Services			
	(a) Agriculture and Allied Activities			
	2401—Crop Husbandry (Tribal Areas Sub-Plan) ..	45,00,000	..	45,00,000
	2402—Soil and Water Conservation (Tribal Areas Sub-Plan). ..	17,00,000	..	17,00,000
	2403—Animal Husbandry (Tribal Areas Sub-Plan) ..	37,00,000	..	37,00,000
	2405—Fisheries (Tribal Areas Sub-Plan) ..	20,00,000	..	20,00,000
	2406—Forestry and Wild Life (Tribal Areas Sub-Plan)	4,08,00,000	..	4,08,00,000
	2408—Food, Storage and Warehousing (Tribal Areas Sub-Plan). ..	1,00,000	..	1,00,000
	2425—Co-operation (Tribal Areas Sub-Plan) ..	6,00,000	..	6,00,000
	2435—Other Agricultural Programmes (Tribal Areas Sub-Plan). ..	3,00,000	..	3,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(b) Rural Development			
	2501—Rural Development (Tribal Areas Sub-Plan) . .	2,48,00,000	. .	2,48,00,000
	(c) Special Areas Programmes			
	2575—Other Special Areas Programmes (Tribal Areas Sub-Plan). . .	22,00,000	. .	22,00,000
	(d) Irrigation and Flood Control			
	2702—Minor Irrigation (Tribal Areas Sub-Plan) . .	12,00,000	. .	12,00,000
	(f) Industry and Minerals			
	2851—Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan). . .	30,00,000	. .	30,00,000
	Capital Expenditure Outside the Revenue Account			
41	**B—Capital Account of Social Services**			
	(e) Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes			
	4225—Capital Outlay on Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes.	1,42,00,000	. .	1,42,00,000
	(h) Others			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4401—Capital Outlay on Crop Husbandry (Excluding Public Undertakings) (Tribal Areas Sub-Plan).	1,00,000	. .	1,00,000
	4425—Capital Outlay on Co-operation (Tribal Areas Sub-Plan). . .	9,00,000	. .	9,00,000
	4435—Capital Outlay on Other Agricultural Programmes (Tribal Areas Sub-Plan). . .	4,00,000	. .	4,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	(d) Capital Account of Irrigation and Flood Control			
	4702—Capital Outlay on Minor Irrigation (Tribal Areas Sub-Plan). ..	1,00,00,000	..	1,00,00,000
	4705—Capital Outlay on Command Area Development (Tribal Areas Sub-Plan). ..	2,00,000	..	2,00,000
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan). ..	1,00,000	..	1,00,000
	(g) Capital Account of Transport			
41	5054—Capital Outlay on Roads and Bridges (Tribal Areas Sub-Plan). ..	2,27,00,000	..	2,27,00,000
	F—Loans and Advances			
	6225—Loans for Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes.	24,00,000	..	24,00,000
	6425—Loans for Co-operation (Tribal Areas Sub-Plan)	2,00,000	..	2,00,000
	6575—Loans for Other Special Areas Programmes (Tribal Areas Sub-Plan). ..	1,00,000	..	1,00,000
	6851—Loans for Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan). ..	1,00,000	..	1,00,000
	Total ..	63,32,00,000	..	63,32,00,000
	REVENUE ACCOUNT			
	B—Social Services			
	(g) Social Welfare and Nutrition			
42	2235—Social Security and Welfare (Social Welfare)..	47,80,00,000	..	47,80,00,000
43	2236—Nutrition ..	4,72,00,000	..	4,72,00,000
44	2245—Relief on account of Natural Calamities ..	52,13,00,000	..	52,13,00,000
	(h) Others			
45	2251—Secretariat Social Services ..	4,37,00,000	..	4,37,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(h) Others			
46	2250—Other Social Services ..	6,11,00,000	..	6,11,00,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	4250—Capital Outlay on Other Social Services ..	1,10,00,000	..	1,10,00,000
	F—Loans and Advances			
	6250—Loans for Other Social Services ..	8,00,000	..	8,00,000
	Total ..	7,29,00,000	..	7,29,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
47	2401—Crop Husbandry ..	30,68,00,000	..	30,68,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Agriculture and Allied Activities			
	4401—Capital Outlay on Crop Husbandry (Excluding Public Undertakings). ..	19,00,000	..	19,00,000
	F—Loans and Advances			
	6401—Loans for Crop Husbandry (Excluding Public Undertakings). ..	34,00,000	..	34,00,000
	Total ..	31,21,00,000	..	31,21,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
48	2402—Soil and Water Conservation ..	5,58,00,000	..	5,58,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4402—Capital Outlay on Soil and Water Conservation	2,00,000	..	2,00,000
	Total ..	5,60,00,000	..	5,60,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
49	2403—Animal Husbandry ..	23,18,00,000	..	23,18,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4403—Capital Outlay on Animal Husbandry (Excluding Public Undertakings). ..	1,00,00,000	..	1,00,00,000
	Total ..	24,18,00,000	..	24,18,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
50	2404—Dairy Development ..	33,25,00,000	..	33,25,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4404—Capital Outlay on Dairy Development (Excluding Public Undertakings). ..	87,00,000	..	87,00,000
	Total ..	34,12,00,000	..	34,12,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
51	2405—Fisheries ..	13,38,00,000	..	13,38,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4405—Capital Outlay on Fisheries ..	97,00,000	..	97,00,000
	F—Loans and Advances			
	6405—Loans for Fisheries ..	2,03,00,000	..	2,03,00,000
	Total ..	16,38,00,000	..	16,38,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
52	2406—Forestry and Wild Life ..	32,80,00,000	*14,00,000*	32,94,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4406—Capital Outlay on Forestry and Wild Life ..	7,00,000	..	7,00,000
	Total ..	32,87,00,000	*14,00,000*	33,01,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
53	4407—Capital Outlay on Plantations ..	30,00,000	..	30,00,000
	F—Loans and Advances			
	6407—Loans for Plantations ..	49,00,000	..	49,00,000
	Total ..	79,00,000	..	79,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
54	2408—Food, Storage and Warehousing ..	17,12,00,000	..	17,12,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4408—Capital Outlay on Food, Storage and Warehousing (Excluding Public Undertakings). ..	8,57,00,000	*17,000*	8,57,17,000
	Total ..	25,69,00,000	*17,000*	25,69,17,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
55	2415—Agricultural Research and Education ..	10,85,00,000	..	10,85,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4415—Capital Outlay on Agricultural Research and Education (Excluding Public Undertakings). ..	9,00,000	..	9,00,000
	Total ..	10,94,00,000	..	10,94,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
	2425—Co-operation ..	10,70,00,000	..	10,70,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
57	**(a) Capital Account of Agriculture and Allied Activities**			
	4425—Capital Outlay on Co-operation ..	3,02,00,000	..	3,02,00,000
	F—Loans and Advances			
	6425—Loans for Co-operation ..	1,89,00,000	..	1,89,00,000
	Total ..	15,61,00,000	..	15,61,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
	2435—Other Agricultural Programmes ..	3,43,00,000	..	3,43,00,000
	Capital Expenditure Outside the Revenue Account			
58	**C—Capital Account of Economic Services**			
	(a) Capital Account of Agriculture and Allied Activities			
	4435—Capital Outlay on Other Agricultural Programmes	14,00,000	..	14,00,000
	Total ..	3,57,00,000	..	3,57,00,000

The West Bengal Appropriation (Vote on Account) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(b) Rural Development			
59	2501—Special Programmes for Rural Development ..	1,59,00,000	..	1,59,00,000
60	2505—Rural Employment ..	1,74,75,00,000	..	1,74,75,00,000
61	2506—Land Reforms ..	5,82,00,000	..	5,82,00,000
62	2515—Other Rural Development Programmes (Panchayati Raj). ..	64,41,00,000	..	64,41,00,000
	D—Grants-in-Aid and Contributions			
	3604—Compensation and Assignments to Local Bodies and Panchayati Raj Institutions (Panchayati Raj).	3,59,00,000	*1,000*	3,59,01,000
	Capital Expenditure Outside the Revenue Account			
	F—Loans and Advances			
	6515—Loans for Other Rural Development Programmes (Panchayati Raj). ..	1,00,000	..	1,00,000
	Total ..	68,01,00,000	*1,000*	68,01,01,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(b) Rural Development			
63	2515—Other Rural Development Programmes (Community Development). ..	18,67,00,000	..	18,67,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(b) Capital Account of Rural Development			
	4515—Capital Outlay on Other Rural Development Programmes (Community Development). ..	22,00,000	..	22,00,000
	F—Loans and Advances			
	6515—Loans for Other Rural Development Programmes (Community Development). ..	7,00,000	..	7,00,000
	Total ..	18,96,00,000	..	18,96,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
64	**REVENUE ACCOUNT**			
	C—Economic Services			
	(c) Special Areas Programmes			
	2551—Hill Areas ..	49,71,00,000	..	49,71,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(c) Capital Account of Special Areas Programmes			
	4551—Capital Outlay on Hill Areas ..	45,00,000	..	45,00,000
	F—Loans and Advances			
	6551—Loans for Hill Areas ..	1,18,00,000	..	1,18,00,000
	Total ..	51,34,00,000	..	51,34,00,000
65	**REVENUE ACCOUNT**			
	C—Economic Services			
	(c) Special Areas Programmes			
	2575—Other Special Areas Programmes ..	26,02,00,000	..	26,02,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(c) Capital Account of Special Areas Programmes			
	4575—Capital Outlay on Other Special Areas Programmes. ..	10,13,00,000	..	10,13,00,000
	Total ..	36,15,00,000	..	36,15,00,000
66	**REVENUE ACCOUNT**			
	C—Economic Services			
	(d) Irrigation and Flood Control			
	2701—Major and Medium Irrigation ..	26,50,00,000	..	26,50,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4701—Capital Outlay on Major and Medium Irrigation ..	88,67,00,000	..	88,67,00,000
	Total ..	1,15,17,00,000	..	1,15,17,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
67	2702—Minor Irrigation ..	59,71,00,000	..	59,71,00,000
	2705—Command Area Development ..	1,00,00,000	..	1,00,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4702—Capital Outlay on Minor Irrigation ..	25,81,00,000	..	25,81,00,000
	4705—Capital Outlay on Command Area Development	35,00,000	..	35,00,000
	Total ..	86,87,00,000	..	86,87,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
68	2711—Flood Control ..	15,94,00,000	*34,000*	15,94,34,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4711—Capital Outlay on Flood Control Projects ..	21,92,00,000	..	21,92,00,000
	Total ..	37,86,00,000	*34,000*	37,86,34,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(e) Energy			
69	2801—Power ..	28,50,00,000	..	28,50,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(e) Capital Account of Energy			
	4801—Capital Outlay on Power Projects ..	1,08,00,00,000	..	1,08,00,00,000
	F—Loans and Advances			
	6801—Loans for Power Projects ..	4,49,38,00,000	..	4,49,38,00,000
	6860—Loans for Consumer Industries ..	50,00,000	..	50,00,000
	Total ..	5,86,38,00,000	..	5,86,38,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(e) Energy			
72	2810—Non-Conventional Sources of Energy ..	38,00,000	..	38,00,000
	(f) Industry and Minerals			
73	2851—Village and Small Industries (Excluding Public Undertakings). ..	27,83,00,000	..	27,83,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings). ..	1,38,00,000	..	1,38,00,000
	F—Loans and Advances			
	6851—Loans for Village and Small Industries (Excluding Public Undertakings). ..	5,47,00,000	..	5,47,00,000
	Total ..	34,68,00,000	..	34,68,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(f) Industry and Minerals			
74	2852—Industries (Closed and Sick Industries) ..	25,00,000	..	25,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
	4858—Capital Outlay on Engineering Industries (Closed and Sick Industries). ..	17,00,000	..	17,00,000
	4860—Capital Outlay on Consumer Industries (Closed and Sick Industries). ..	24,00,000	..	24,00,000
	4875—Capital Outlay on Other Industries (Closed and Sick Industries). ..	10,00,000	..	10,00,000
	F—Loans and Advances			
	6858—Loans for Engineering Industries (Closed and Sick Industries). ..	6,05,00,000	*11,00,000*	6,16,00,000
	6860—Loans for Consumer Industries (Closed and Sick Industries). ..	7,41,00,000	..	7,41,00,000
	Total ..	14,22,00,000	*11,00,000*	14,33,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(f) Industry and Minerals			
75	2852—Indutries (Excluding Public Undertakings and Closed and Sick Industries). ..	12,70,00,000	..	12,70,00,000
76	2853—Non-Ferrous Mining and Metallurgical Industries	74,00,000	..	74,00,000
	(g) Transport			
77	3051—Ports and Lighthouses ..	49,00,000	..	49,00,000
78	3053—Civil Aviation ..	13,00,000	..	13,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(g) Transport			
	3054—Roads and Bridges ..	30,26,00,000	..	30,26,00,000
	Capital Expenditure Outside the Revenue Account			
79	**C—Capital Account of Economic Services**			
	(g) Capital Account of Transport			
	5054—Capital Outlay on Roads and Bridges ..	46,82,00,000	..	46,82,00,000
	Total ..	77,08,00,000	..	77,08,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(g) Transport			
	3055—Road Transport ..	35,24,00,000	..	35,24,00,000
	3056—Inland Water Transport ..	8,00,000	..	8,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
80	**(g) Capital Account of Transport**			
	5055—Capital Outlay on Road Transport ..	93,00,000	..	93,00,000
	5056—Capital Outlay on Inland Water Transport ..	1,28,00,000	..	1,28,00,000
	F—Loans and Advances			
	7055—Loans for Road Transport ..	11,57,00,000	..	11,57,00,000
	Total ..	49,10,00,000	..	49,10,00,000
	C—Economic Services			
	(g) Transport			
	F—Loans and Advances			
81	7075—Loans for Other Transport Services ..	7,47,00,000	..	7,47,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(i) Science, Technology and Environment			
82	3425—Other Scientific Research ..	2,00,000	..	2,00,000
	(j) General Economic Services			
83	3451—Secretariat—Economic Services ..	7,35,00,000	..	7,35,00,000
	3452—Tourism ..	1,94,00,000	..	1,94,00,000
	Capital Expenditure Outside the Revenue Account			
84	**C—Capital Account of Economic Services**			
	(j) Capital Account of General Economic Services			
	5452—Capital Outlay of Tourism ..	4,00,000	..	4,00,000
	Total ..	1,98,00,000	..	1,98,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(j) General Economic Services			
85	3454—Census, Surveys and Statistics ..	1,87,00,000	..	1,87,00,000
86	3456—Civil Supplies ..	1,32,00,000	..	1,32,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(j) Capital Account of General Economic Services			
	5465—Investments in General Financial and Trading Institutions. ..	3,00,000	..	3,00,000
87	**F—Loans and Advances**			
	7465—Loans for General Financial and Trading Institutions. ..	87,00,000	..	87,00,000
	Total ..	90,00,000	..	90,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(j) General Economic Services			
88	3475—Other General Economic Services ..	1,44,00,000	..	1,44,00,000
	B—Social services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
89	2215—Water Supply and Sanitation (Prevention of Air and Water Pollution). ..	4,37,00,000	..	4,37,00,000
	D—Grants-in-Aid and Contributions			
90	3604—Compensation and Assignments to Local Bodies and Panchayati Raj Institutions (Excluding Panchayati Raj). ..	1,05,26,00,000	*5,00,000*	1,05,31,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4408—Capital Outlay on Food, Storage and Warehousing (Public Undertakings). ..	10,00,000	..	10,00,000
	F—Loans and Advances			
92	6857—Loans for Chemical and Pharmaceutical Industries (Public Undertakings). ..	4,29,00,000	..	4,29,00,000
	6858—Loans for Engineering Industries (Public Undertakings). ..	4,92,00,000	..	4,92,00,000
	6860—Loans for Consumer Industries (Public Undertakings). ..	88,00,000	..	88,00,000
	Total ..	10,19,00,000	..	10,19,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
93	4856—Capital Outlay on Petrochemical Industries (Excluding Public Undertakings). ..	22,00,00,000	..	22,00,00,000
	4860—Capital Outlay on Consumer Industries (Excluding Public Undertakings). ..	40,00,000	..	40,00,000
	4885—Other Capital Outlay on Industries and Minerals (Excluding Public Undertakings). ..	7,86,00,000	..	7,86,00,000
	F—Loans and Advances			
	6885—Loans for Other Industries and Minerals (Excluding Public Undertakings). ..	1,57,00,000	..	1,57,00,000
	Total ..	31,83,00,000	..	31,83,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
94	4859—Capital Outlay on Telecommunication and Electronic Industries. ..	3,50,00,000	..	3,50,00,000
	F—Loans and Advances			
	6859—Loans for Telecommunication and Electronic Industries. ..	1,50,00,000	..	1,50,00,000
	Total ..	5,00,00,000	..	5,00,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
95	4860—Capital Outlay on Consumer Industries (Excluding Public Undertakings and Closed and Sick Industries). ..	92,00,000	*1,00,000*	93,00,000
	F—Loans and Advances			
	6857—Loans for Chemical and Pharmaceutical Industries (Excluding Public Undertakings and Closed and Sick Industries). ..	12,00,000	..	12,00,000
	6860—Loans for Consumer Industries (Excluding Public Undertakings and Closed and Sick Industries). .	6,02,00,000	..	6,02,00,000
	Total ..	7,06,00,000	*1,00,000*	7,07,00,000

The West Bengal Appropriation (Vote on Account) Act, 1996

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total.
		Rs	*Rs.*	Rs
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	F—Loans and Advances			
96	6875—Loans for Other Industries (Excluding Public Undertakings and Closed and Sick Industries). .	90,00,000	. .	90,00,000
	6885—Loans for Other Industries and Minerals (Excluding Closed and Sick Industries) . .	3,40,00,000	. .	3,40,00,000
	Total . .	4,30,00,000	. .	4,30,00,000
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
97	4885—Other Capital Outlay on Industry and Minerals (Excluding Public Undertakings and Closed and Sick Industries). .	45,00,000	. .	45,00,000
	E—Public Debt			
Serial 98	6003—Internal Debt of the State Government . .	. .	*4,07,86,00,000*	4,07,86,00,000
	6004—Loans and Advances from Central Government	. .	*1,28,52,00,000*	1,28,52,00,000
	Total . .	. .	*5,36,38,00,000*	5,36,38,00,000
	F—Loans and Advances			
99	7610—Loans to Government Servants etc. . .	30,00,00,000	. .	30,00,00,000
	7615—Miscellaneous Loans . .	1,13,00,000	. .	1,13,00,000
	Total . .	31,13,00,000	. .	31,13,00,000
	Grand Total . .	**40,69,89,00,000**	***12,13,72,63,000***	**52,83,61,63,000**

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy to the Govt of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-III)/96/SAR-5

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 28] MONDAY, MARCH 18, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 522-L.—18th March, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act II of 1996

THE WEST BENGAL APPROPRIATION ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 18th March, 1996.]

An Act to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of West Bengal for the services and purposes of the year ending on the thirty-first day of March, 1996.

WHEREAS it is expedient to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of West Bengal for the services and purposes of the year ending on the thirty-first day of March, 1996;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title.

1. This Act may be called the West Bengal Appropriation Act, 1996.

The West Bengal Appropriation Act, 1996.

(Sections 2, 3.)

Issue of Rs. 9,94,63,77,999 out of the Consolidated Fund of West Bengal for the year 1995-96.

2. From and out of the Consolidated Fund of West Bengal there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of rupees nine hundred ninety-four crores sixty-three lakhs seventy-seven thousand nine hundred and ninety-nine towards defraying the several charges which will come in course of payment during the year ending on the thirty-first day of March, 1996, in respect of the services and purposes specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of West Bengal by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the year ending on the thirty-first day of March, 1996.

The West Bengal Appropriation Act, 1996.

(Schedule.)

SCHEDULE

(*See* sections 2 and 3.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	A—General Services			
	(a) Organs of State			
1	2011—State Legislature ..	9,97,000	*3,58,000*	13,55,000
Serial 2	2012—Governor ..	..	*13,01,000*	13,01,000
3	2013—Council of Ministers ..	2,95,000	..	2,95,000
4	2014—Administration of Justice ..	4,04,46,000	*2,15,09,000*	6,19,55,000
5	2015—Elections ..	14,97,84,000	*1,000*	14,97,85,000
	(b) Fiscal Services			
	(ii) Collection of Taxes on Property and Capital Transactions			
	2029—Land Revenue ..	16,31,45,000	..	16,31,45,000
	Capital Expenditure Outside the Revenue Account			
7	**C—Capital Account of Economic Services**			
	(i) Capital Account of General Economic Services			
	5475—Capital Outlay on Other General Economic Services. ..	13,00,000	..	13,00,000
	Total ..	16,44,45,000	..	16,44,45,000
	REVENUE ACCOUNT			
	A—General Services			
	(b) Fiscal Services			
	(ii) Collection of Taxes on Property and Capital Transactions			
9	2035—Collection of Other Taxes on Property and Capital Transactions. ..	20,000	..	20,000

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(iii) Collection of Taxes on Commodities and Services			
10	2039—State Excise ..	24,90,000	..	24,90,000
11	2040—Taxes on Sales, Trades etc. ..	33,89,000	*9,502*	33,98,502
	(iv) Other Fiscal Services			
14	2047—Other Fiscal Services ..	11,20,000	..	11,20,000
	(c) Interest Payment and Servicing of Debt			
16	2049—Interest Payments ..	5,00,000	..	5,00,000
	(d) Administrative Services			
Serial 17	2051—Public Service Commission ..	..	*8,99,000*	8,99,000
18	2052—Secretariat—General Services ..	4,05,57,000	..	4,05,57,000
19	2053—District Administration ..	1,32,75,000	..	1,32,75,000
20	2054—Treasury and Accounts Administration ..	95,38,000	..	95,38,000
21	2055—Police ..	9,69,50,000	*2,23,500*	9,71,73,500
22	2056—Jails ..	1,50,48,000	..	1,50,48,000
24	2058—Stationery and Printing ..	32,60,000	..	32,60,000
	REVENUE ACCOUNT			
	A—General Services			
	(d) Administrative Services			
	2059—Public Works ..	15,17,20,000	..	15,17,20,000
	(Public Works under Functional Heads)			
	(j) General Economic Services			
	Capital Expenditure Outside the Revenue Account			
	A—Capital Account of General Services			
25	4059—Capital Outlay on Public Works ..	..	*12,34,373*	12,34,373
	B—Capital Account of Social Services			
	(b) Capital Account of Health and Family Welfare			
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health) (Buildings). ..	..	*61,77,089*	61,77,089
	Total ..	15,17,20,000	*74,11,462*	15,91,31,462

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	A—General Services			
	(d) Administrative Services			
26	2070—Other Administrative Services (Fire Protection and Control). ..	20,55,000	..	20,55,000
27	2070—Other Administrative Services (Excluding Fire Protection and Control). ..	3,43,25,000	..	3,43,25,000
	REVENUE ACCOUNT			
	A—General Services			
	(e) Pension and Miscellaneous General Services			
28	2071—Pensions and Other Retirement Benefits ..	53,72,97,000	*1,08,033*	53,74,05,033
29	2075—Miscellaneous General Services ..	24,95,000	..	24,95,000

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
30	2202—General Education ..	..	*24,180*	24,180
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
31	2204—Sports and Youth Services ..	2,45,36,000	..	2,45,36,000
	(b) Health and Family Welfare			
32	2210—Medical and Public Health (Excluding Public Health). ..	20,08,58,000	*1,03,21,307*	21,11,79,307
33	2210—Medical and Public Health (Public Health) ..	95,17,000	..	95,17,000
34	2211—Family Welfare ..	5,37,35,000	*31,80,858*	5,69,15,858
	(c) Water Supply, Sanitation, Housing and Urban Development			
35	2215—Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution). ..	23,57,79,000	..	23,57,79,000

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
36	2216—Housing ..	74,93,000	..	74,93,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4216—Capital Outlay on Housing ..	..	*3,70,000*	3,70,000
	Total ..	74,93,000	*3,70,000*	78,63,000
	REVENUE ACCOUNT			
	B—Social Services			
	(d) Information and Broadcasting			
38	2220—Information and Publicity ..	98,45,000	..	98,45,000
	(g) Social Welfare and Nutrition			
40	2235—Social Security and Welfare (Rehabilitation) .	2,41,85,000	*50,00,000*	2,91,85,000

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
41	4702—Capital Outlay on Minor Irrigation (Tribal Areas Sub-Plan). ..	45,10,000	..	45,10,000
	REVENUE ACCOUNT			
	B—Social Services			
	(g) Social Welfare and Nutrition			
42	2235—Social Security and Welfare (Social Welfare) ..	22,76,27,000	..	22,76,27,000
43	2236—Nutrition ..	46,48,000	..	46,48,000
44	2245—Relief on account of Natural Calamities ..	49,44,00,000	..	49,44,00,000
	(h) Others			
45	2251—Secretariat—Social Services ..	77,80,000	..	77,80,000

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(h) Others			
46	2250—Other Social Services ..	18,86,22,000	..	18,86,22,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	4250—Capital Outlay on Other Social Services ..	26,50,000	..	26,50,000
	Total ..	19,12,72,000	..	19,12,72,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
47	2401—Crop Husbandry ..	..	*8,500*	8,500
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4401—Capital Outlay on Crop Husbandry (Excluding Public Undertakings). ..	3,60,000	...	3,60,000
	Total ..	3,60,000	*8,500*	3,68,500

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
49	2403—Animal Husbandry ..	5,10,38,000	..	5,10,38,000
50	2404—Dairy Development ..	4,44,54,000	..	4,44,54,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4404—Capital Outlay on Dairy Development (Excluding Public Undertakings). ..	14,12,000	..	14,12,000
	Total ..	4,58,66,000	..	4,58,66,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
52	2406—Forestry and Wild Life ..	..	*33,50,000*	33,50,000

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
54	2408—Food, Storage and Warehousing ..	1,82,45,000	*4,65,300*	1,87,10,300
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4408—Capital Outlay on Food, Storage and Warehousing (Excluding Public Undertakings). ..	5,00,00,000	..	5,00,00,000
	Total ..	6,82,45,000	*4,65,300*	6,87,10,300
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
55	2415—Agricultural Research and Education ..	2,66,19,000	..	2,66,19,000
57	2425—Co-operation ..	50,60,000	..	50,60,000
58	2435—Other Agricultural Programmes ..	39,70,000	..	39,70,000

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(c) Special Areas Programmes			
65	2575—Other Special Areas Programmes ..	10,18,74,000	..	10,18,74,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(c) Capital Account of Special Areas Programmes			
	4575—Capital Outlay on Other Special Areas Programmes. ..	18,57,62,000	..	18,57,62,000
	Total ..	28,76,36,000	..	28,76,36,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
66	2701—Major and Medium Irrigation ..	3,59,25,000	..	3,59,25,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4701—Capital Outlay on Major and Medium Irrigation ..	..	*15,08,006*	15,08,006
	Total ..	3,59,25,000	*15,08,006*	3,74,33,006

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
67	2702—Minor Irrigation ..	8,81,73,000	..	8,81,73,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4702—Capital Outlay on Minor Irrigation ..	..	*48,864*	48,864
	Total ..	8,81,73,000	*48,864*	8,82,21,864
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
68	2711—Flood Control ..	39,09,000	..	39,09,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4711—Capital Outlay on Flood Control Projects ..	..	*97,078*	97,078
	Total ..	39,09,000	*97,078*	40,06,078

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(e) Capital Account of Energy			
69	4801—Capital Outlay on Power Projects ..	5,65,45,95,000	..	5,65,45,95,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(e) Energy			
72	2810—Non-Conventional Sources of Energy ..	1,50,000	..	1,50,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(f) Industry and Minerals			
73	2851—Village and Small Industries (Excluding Public Undertakings). ..	7,74,59,000	..	7,74,59,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings). ..	2,58,20,000	..	2,58,20,000
	F—Loans and Advances			
	6851—Loans for Village and Small Industries (Excluding Public Undertakings). ..	1,03,00,000	..	1,03,00,000
	Total ..	11,35,79,000	..	11,35,79,000

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(f) Industry and Minerals			
74	2852—Industries (Closed and Sick Industries) ..	8,15,40,000	..	8,15,40,000
75	2852—Industries (Excluding Public Undertakings and Closed and Sick Industries). ..	..	*1,80,11,000*	1,80,11,000
76	2853—Non-Ferrous Mining and Metallurgical Industries	80,000	..	80,000
	(g) Transport			
77	3051—Ports and Lighthouses ..	3,70,000	..	3,70,000

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(g) Transport			
79	3054—Roads and Bridges ..	10,80,64,000	*15,08,491*	10,95,72,491
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(g) Capital Account of Transport			
	5054—Capital Outlay on Roads and Bridges ..	42,65,000	*25,73,800*	68,38,800
	Total ..	11,23,29,000	*40,82,291*	11,64,11,291
	REVENUE ACCOUNT			
	C—Economic Services			
	(g) Transport			
80	3055—Road Transport ..	26,12,60,000	..	26,12,60,000
	3056—Inland Water Transport ..	3,95,000	..	3,95,000
	F—Loans and Advances			
	7055—Loans for Road Transport ..	1,65,00,000	..	1,65,00,000
	Total ..	27,81,55,000	..	27,81,55,000

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(i) Science, Technology and Environment			
82	3425—Other Scientific Research ..	23,000	..	23,000
	(j) General Economic Services			
83	3451—Secretariat—Economic Services ..	1,57,55,000	..	1,57,55,000
85	3454—Census, Surveys and Statistics ..	..	1,46,850	1,46,850
86	3456—Civil Supplies ..	28,60,000	..	28,60,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(j) Capital Account of General Economic Services			
87	5465—Investment in General Financial and Trading Institutions. ..	2,07,83,000	..	2,07,83,000

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(j) General Economic Services			
88	3475—Other General Economic Services ..	2,35,000	*23,80,268*	26,15,268
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
92	4858—Capital Outlay on Engineering Industries (Public Undertakings). ..	3,19,97,000	..	3,19,97,000
	F—Loans and Advances			
	6857—Loans for Chemical and Pharmaceutical Industries (Public Undertakings). ..	71,00,000	..	71,00,000
	6858—Loans for Engineering Industries (Public Undertakings). ..	1,98,00,000	..	1,98,00,000
	6860—Loans for Consumer Industries (Public Undertakings). ..	10,00,000	..	10,00,000
	Total ..	5,98,97,000	..	5,98,97,000

The West Bengal Appropriation Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
93	4885—Other Capital Outlay on Industries and Minerals (Excluding Public Undertakings). ..	7,22,20,000	..	7,22,20,000
	F—Loans and Advances			
	6885—Loans for Other Industries and Minerals (Excluding Public Undertakings). ..	2,00,00,000	..	2,00,00,000
	Total ..	9,22,20,000	..	9,22,20,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
	F—Loans and Advances			
95	6860—Loans for Consumer Industries (Excluding Public Undertakings and Closed and Sick Industries). ..	5,00,00,000	..	5,00,00,000
	Grand Total ..	**9,86,55,63,000**	***8,08,14,999***	**9,94,63,77,999**

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-IIIA)/96/SAR-4**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 29] TUESDAY, MARCH 19, 1996 [SAKA 1917

PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Ordinance No. IV of 1996

THE WEST BENGAL MINORITIES' COMMISSION ORDINANCE, 1996.

WHEREAS it is expedient to constitute a Minorities' Commission to study and suggest additional social, economic, educational and cultural requirements of religious and linguistic minorities of West Bengal with a view to equipping them to preserve secular traditions of West Bengal and to promote national integration;

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Governor is pleased, in exercise of the power conferred by clause (1) of article 213 of the Constitution of India, to make and promulgate the following Ordinance:—

Short title, extent and commencement

1. (1) This Ordinance may be called the West Bengal Minorities' Commission Ordinance, 1996.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date as the State Government may, by notification, apppoint.

Definitions

2. In this Ordinance, unless the context otherwise requires,—

(a) "Commission" means the West Bengal Minorities' Commission constituted under section 3;

(b) "Member" means a Member of the Commission;

The West Bengal Minorities' Commission Ordinance, 1996.

(Sections 3-5.)

(c) "Minority", for the purpose of this Ordinance, means a community based on religion such as Muslim, Christian, Sikh, Buddihist, or Zoroastrian (Parsee), and includes—

(i) such other minority as the Central Government may notify under clause (c) of section 2 of the National Commission for Minorities Act, 1992, or 19 of 1992.

(ii) such other minority based on language within the purview of article 29 of the Constitution of India (hereinafter referred to as the Constitution) as the State Government may, by notification, specify from time to time;

(d) "notification" means a notification published in the *Official Gazette*;

(e) "prescribed" means prescribed by rules made under this Ordinance.

Constitution of the Commission.

3. (1) The State Government shall constitute a body to be known as the West Bengal Minorities' Commission to exercise the powers conferred on, and to perform the functions assigned to, it under this Ordinance.

(2) The Commission shall consist of the following Members:—

(a) a Chairperson, who shall be a person of eminence, to be nominated by the State Government,

(b) a Vice-Chairperson to be nominated by the State Government,

(c) a Member-Secretary, and

(d) such number of other members from amongst persons of eminence, not exceeding five, of whom one shall be a woman, as the State Government may nominate:

Provided that at least five members shall be from amongst the notified minority communities.

Functions of the Commission.

4. The Commission shall perform the following functions:—

(a) evaluate the progress of the development of minorities of West Bengal and review implementation of the policies and programme of the State Government;

(b) monitor the working of the safeguards provided in the Constitution and in laws enacted by parliament or the State Legislature;

(c) make recommendations for the effective enforcement and implementation of safeguards for the protection of the interests of minorities provided by the Central Government or the State Government;

(d) look into specific complaints regarding deprivation of social, economic, educational, cultural and linguistic rights and safeguards of the minorities and take up such matters with the appropriate authorities;

(e) cause studies to be undertaken into problems arising out of any discrimination against minorities and recommend measures for their removal;

(f) conduct studies, research and analysis on the issues relating to socio-economic and educational development of minorities;

(g) make annual report to the State Government on any matter pertaining to any of the functions of the Commission under this section.

Term of office and conditions of service of Chairperson, Vice-Chairperson, Members and Member-Secretary.

5. (1) The Chairperson, Vice-Chairperson and every Member shall hold office for a term of three years from the date he assumes office.

(2) The Chairperson, Vice-Chairperson or a Member may, at any time, by writing under his hand addressed to the State Government, resign from the office of the Chairperson, Vice-Chairperson or Member, as the case may be.

The West Bengal Minorities' Commission Ordinance, 1996.

(Sections 6-10.)

(3) A person shall be disqualified for being chosen as, and for being, a Member of the Commission—

(a) if he is a lunatic or a person of unsound mind, or

(b) if he has been adjudged insolvent, or

(c) if he has been convicted of an offence involving moral turpitude, or

(d) if he refuses to act or becomes incapable of acting, or

(e) if he is, without obtaining leave of absence from the Commission, absent from three consecutive meetings of the Commission, or

(f) if he has, in the opinion of the State Government, so abused the position of Chairperson, Vice-Chairperson or Member as to render that person's continuance in office detrimental to the interests of minorities or the public interest:

Provided that no person shall be removed under this clause until that person has been given a reasonable opportunity of being heard in the matter.

(4) A vacancy caused under sub-section (2) or otherwise shall be filled up by fresh nomination.

(5) The Member-Secretary shall be entitled to such pay and allowances as the State Government may determine.

Procedure to be regulated by the Commission.

6. (1) The headquarters of the Commission shall be in Calcutta.

(2) The Commission shall meet as and when necessary at such time and place as the Commission thinks fit.

(3) The Commission shall make rules to regulate its own procedure.

(4) All orders and decisions of the Commission shall be authenticated by the Member-Secretary or any other officer of the Commission duly authorised by the Member-Secretary in this behalf.

Member-Secretary.

7. The Member-Secretary shall be whole-time, and shall be appointed by the State Government, by notification, from amongst the senior members of the Indian Administrative Service.

Officers and other employees of the Commission.

8. (1) (a) The State Government shall, in consultation with the Commission, provide it with such officers and other employees, on deputation, as may be necessary for efficient performance of the functions of the Commission.

(b) Notwithstanding anything contained in clause (a), the posts of officers and other employees of the Commission shall be created and filled up with the prior approval of the State Government.

(2) The salaries and allowances payable to, and the other terms and conditions of service of the officers and other employees of the Commission, other than those who are on deputation, shall be such as may be prescribed by the Commission in consultation with the Government.

Salaries and allowances to be paid out of grants.

9. The allowances payable to the Chairperson, Vice-Chairperson and Members and the administrative expenses including salaries, allowances and pensions payable to the officers and other employees referred to in section 7 and section 8, shall be paid out of the grants referred to in sub-section (1) of section 10.

Grants by the State Government.

10. (1) The State Government shall, after due appropriation made by the State Legislature by law in this behalf, pay to the Commission by way of grants such sums of money as the State Government may think fit for being utilised for the purposes of this Ordinance.

(2) The Commission may spend such sums as it thinks fit for performing the functions under this Ordinance, and such sums shall be treated as expenditure payable out of the grants referred to in sub-section (1).

The West Bengal Minorities' Commission Ordinance, 1996.

(Sections 11-15.)

Accounts and audit

11. (1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed in consultation with the Accountant-General, West Bengal.

(2) The annual accounts of the Commission shall be audited by the Accountant-General, West Bengal.

(3) The Accountant-General, West Bengal, shall have the same rights and privileges and the authority in connection with such audit as the Accountant-General, West Bengal, generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office of the Commission.

(4) The Commission shall forward to the State Government annually the accounts of the Commission as certified by the Accountant-General, West Bengal, together with the audit report thereon.

Annual report.

12. (1) The Commission shall prepare for each financial year, in such form, and at such time, as may be prescribed, its annual report giving a full account of its activities during the previous financial year and forward a copy thereof to the State Government.

(2) An Accounts Officer of the State Government shall be placed at the disposal of the Commission by the State Government for ensuring compliance with the provisions of section 11 and sub-section (1) of this section.

Chairperson, Vice-Chairperson, Members and staff of the Commission to be public servants.

13. The Chairperson, Vice-Chairperson, Members and employees of the Commission shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

Power to make rules.

14. (1) The State Government may, by notification, make rules for carrying out the provisions of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters:—

(a) allowances payable to, and the other terms and conditions of service and facilities of, the Chairperson, Vice-Chairperson and Members, and of officers and other employees, under sub-section (1) of section 9;

(b) the form in which the annual statement of accounts shall be maintained under sub-section (1) of section 11;

(c) the form in, and the time at, which the annual report shall be prepared under sub-section (1) of section 12;

(d) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Ordinance shall be laid, as soon as may be after it is made, before the State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modification in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to remove difficulties.

15. (1) If any difficulty arises in giving effect to the provisions of this Ordinance, the State Government may, by order published in the *Official Gazette*, make provisions, not inconsistent with the provisions of this Ordinance as appear to it to be necessary or expedient for removing the difficulty.

The West Bengal Minorities' Commission Ordinance, 1996.

(Section 16.)

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

Repeal, saving and validation

16. (1) The resolution made under notification No. 84-P.M., dated the 14th July, 1994, read with the resolution made under notification No. 178-P.M., dated the 13th September, 1995, by the State Government constituting the West Bengal Minorities' Commission (hereinafter referred to as the former Commission) is hereby repealed.

(2) Upon such repeal,—

(a) all property and assets under the control of the former Commission and all rights, liabilities and obligations acquired or incurred by the former Commission before the commencement of this Ordinance shall vest in the Commission in accordance with such order as the State Government may make in this behalf;

(b) all legal proceedings or remedies instituted or enforceable by or against the former Commission before the commencement of this Ordinance may be continued or enforced, as the case may be, by or against the Commission as established under this Ordinance or, until the Commission is so established, by or against such officer or authority as the State Government may by order specify;

(c) all officers and other persons in the employ of the former Commission immediately before the commencement of this Ordinance shall, until other provision is made, continue in the service of the Commission.

K. V. RAGHUNATHA REDDY,
Governor of West Bengal.

The 18th March, 1996.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-IIIA)/96/SAR-7**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 29] TUESDAY, MARCH 19, 1996 [SAKA 1917

PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Ordinance No. V of 1996

THE APOLLO ZIPPER COMPANY (PRIVATE) LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) ORDINANCE, 1996.

WHEREAS the Apollo Zipper Company (Private) Limited had been engaged in the manufacture of zip-fastener;

AND WHEREAS the management of the undertakings of the Apollo Zipper Company (Private) Limited had been conducted in a manner highly detrimental to the public interest;

AND WHEREAS the management of the undertakings of the Apollo Zipper Company (Private) Limited was takenover by the Central Government under section 18A of the Industries (Development and Regulation) Act, 1951, on and from the 26th day of the May, 1979; 65 of 1951.

AND WHEREAS the period of the taking over of the management of the Company expires on the 31st day of March, 1996;

AND WHEREAS for the purpose of reconstructing and rehabilitating the undertakings of the Apollo Zipper Company (Private) Limited so as to subserve the interest of the general public by augmentation of production and distribution of the aforesaid articles which are essential to the needs of the general public, it is necessary to acquire the undertakings of the Company;

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Governor is pleased, in exercise of the power conferred by clause (1) of article 213 of the Constitution of India, to make and promulgate the following Ordinance:—

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Sections 1-4.)

Short title and commencement

1. (1) This Ordinance may be called the Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Definitions.

2. In this Ordinance, unless the context otherwise requires,—

(a) "appointed day" means the date on which this Ordinance comes into force;

(b) "Commissioner" means the Commissioner of Payments appointed under section 9;

(c) "Company" means the Apollo Zipper Company (Private) Limited, being a company as defined in the Companies Act, 1956, and having its registered office at 20B, British Indian Street, Calcutta; 1 of 1956.

(d) "date of taking over of management of the undertakings of the Company" means the 26th day of May, 1979;

(e) "existing Government company" means a Government company which is carrying on business on the appointed day;

(f) "new Government company" means a Government company formed and registered on or after the appointed day;

(g) "notification" means a notification published in the *Official Gazette*;

(h) "prescribed" means prescribed by rules made under this Ordinance;

(i) words and expressions used herein and not defined, but defined in the Companies Act, 1956, have the meanings respectively assigned to them in that Act.

Transfer to, and vesting in, State Government of the undertakings of the Company.

3. On the appointed day, the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings, shall, by virtue of this Ordinance, stand transferred to, and vest in, the State Government.

General effect of vesting

4. (1) The undertakings of the Company shall be deemed to include all assets, rights, lease-holds, powers, authorities and privileges, and all property, movable and immovable, including lands, buildings, offices, factories, workshops, stores, instruments, plants, machinery and equipment, installations, laboratories, office furniture, stationery and equipment, vehicles, patents, trade marks, cash balances, cash in hand, reserve funds, investments, book debts and all other rights and interests in, or arising out of, such property as were immediately before the appointed day in the ownership, possession, power or control of the Company, whether within or outside India, and all books of accounts, registers and all other documents of whatever nature relating thereto.

(2) All properties and assets as aforesaid which have vested in the State Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charges, liens and all other encumbrances affecting them, and any attachment, injunction, decree or order of any court or other authority restricting the use of such properties or assets in any manner or appointing any receiver in respect of the whole or any part of such properties or assets shall be deemed to have been withdrawn.

(3) Every mortgagee of any property which has vested under this Ordinance in the State Government and every person holding any charge, lien or other interest in, or in relation to, any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Section 5.)

(4) For the removal of doubts, it is hereby declared that the mortgagee of any porperty referred to in sub-section (3) or any other person holding any charge, lien or other interest in, or in relation to, any such property shall be entitled to claim, in accordance with his rights and interests, payment of the mortgage money or other dues, in whole or in part, out of the amount of compensation determined under sub-section (1), and also out of the amount determined under sub-section (2), of section 7, but, no such mortgage, charge, lien or other interests shall be enforceable against any property which has vested in the State Government.

(5) Any licence or other instrument granted to the Company in relation to any undertaking which has vested in the State Government under section 3 at any time before the appointed day and in force immediately before the appointed day shall continue to be in force on and after such day in accordance with its tenor in relation to and for the purpose of such undertaking, and, on and from the date of vesting of such undertaking, under section 6, in an existing Government company, or under section 7, in a new Government company, the existing or the new Government company, as the case may be, shall be deemed to be substituted in such licence or other instrument as if such licence or other instrument had been granted to such existing or new Government company and such existing or new Government company shall hold it for the remainder of the period for which the Company would have held it under the terms thereof

(6) If, on the appointed day, any suit, appeal or other proceeding of whatever nature, in relation to any property or asset which has vested in the State Government under section 3, instituted or preferred by or against the Company, is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertakings of the Company or of anything contained in this Ordinance, but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, by or against such Government company.

Central Government or State Government or existing or new Government company not to be liable for certain prior liabilities

5. (1) Every liability, other than the liability specified in sub-section (2), of the Company in respect of any period prior to the appointed day shall be the liability of the Company and shall be enforceable against it and not against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

(2) Any liability arising in respect of—

(a) loans advanced by the Central Government or the State Government, or both, to the Company (together with interest due thereon), on or after the date of taking over of management of the undertakings of the Company,

(b) loans advanced by a bank to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(c) loans advanced by the Industrial Reconstruction Bank of India Limited to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(d) wages, salaries and other dues of employees of the Company and dues on account of any deductions made from wages and salaries and other dues of such employees relating to any period commencing on and from the date of taking over of management of the undertakings of the Company, or

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Section 6.)

(e) any debt incurred by the Company during any period commencing on and from the date of taking over of management of the undertakings of the Company, not being a debt falling under clause (a), clause (b), clause (c) or clause (d),

shall, on and from the appointed day, be the liability of the State Government or the Government company as aforesaid and shall be discharged by the State Government or the existing Government company or the new Government company as aforesaid as and when repayment of such loans becomes due or such wages, salaries and other dues or debt become due and payable.

(3) For the removal of doubts, it is hereby declared that,—

(a) save as otherwise expressly provided in this Ordinance, no liability of the Company in relation to its undertakings in respect of any period prior to the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(b) no award, decree or order of any court, tribunal or other authority in relation to the undertakings of the Company passed on or after the appointed day, in respect of any matter, claim or dispute, which arose before the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(c) no liability incurred by the Company before the appointed day for the contravention of any provision of any law for the time being in force shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

Power of State Government to direct vesting of the undertakings of the Company in an existing Government company.

6. (1) Notwithstanding anything contained in sections 3 and 4, the State Government may, if it is satisfied that an existing Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that existing Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in an existing Government company, that Government company shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the rights and liabilities, respectively, of that existing Government company.

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Sections 7-10.)

Power of State Government to direct vesting of the undertakings of the Company in a new Government company.

7. (1) Notwithstanding anything contained in sections 3, 4 and 6, the State Government may, if it is satisfied that a new Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that new Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the date of registration of the new Government company) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in a new Government company, that new Government company shall, on and from the date of such vesting, be deemed to have become the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have come the rights and liabilities, respectively of that new Government company.

Payment of amount.

8. (1) For the transfer to, and vesting in, the State Government, under section 3, of the undertakings of the Company and the right, title and interest of the Company in relation to its undertakings, there shall be given by the State Government to the Company in cash, as a one-time settlement, a sum of rupees eight lakhs and twenty one thousand within such time as the State Government may by notification specify.

(2) For the avoidance of doubts, it is hereby declared that the liabilities of the Company in relation to the undertakings which have vested in the State Government under section 3, shall be met from the amount specified in sub-section (1).

(3) For the deprivation of the Company of the management of its undertakings, there shall be given to the Company by the State Government an amount of rupees one hundred and thirty two.

(4) Every person having a claim to the amount specified in sub-section (1) or sub-section (3) or any part thereof shall prefer such claim before the Commissioner of Payments appointed under section 9 within such period as the State Government may by notification specify.

(5) Notwithstanding anything contained elsewhere in this Ordinance,—

(a) any amount payable to any bank or financial institution towards repayment of the principal amount of any secured loans advanced by such bank or financial institution to the Company before the date of taking over of management of the undertakings of the Company, shall be paid directly by the State Government to such bank or financial institution in accordance with such agreement, in writing, as the State Government and the bank or the financial institution may enter into with each other; and

(b) the amount payable by the State Government directly to any bank or financial institution under clause (a) shall be deducted from the amount payable to the Company under this section.

Appointment of Commissioner of Payments.

9. (1) The State Government shall, for the purpose of disbursing the amounts payable under section 8, by notification, appoint a Commissioner of Payments.

(2) The salaries and allowances of the Commissioner appointed under this section shall be defrayed out of the Consolidated Fund of the State.

Management, etc., of the undertakings of the Company.

10. (1) The general superintendence, direction, control and management of the affairs and business of the undertakings of the Company, the right, title and interest in relation to which have vested in the State Government under section 3, shall,—

(a) where a direction has been given by the State Government under sub-section (1) of section 6, vest, on and from the date specified in such direction, in the existing Government company specified therein, or

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Section 11.)

(b) where a direction has been given by the State Government under sub-section (1) of section 7, vest, on and from the date specified in such direction, in the new Government company specified therein, or

(c) where no direction referred to in clause (a) or clause (b) has been given, vest in one or more Custodians appointed by the State Government under sub-section (2),

and thereupon the existing, or new, Government company so specified or the Custodian or Custodians so appointed, as the case may be, shall be entitled to exercise, to the exclusion of all other persons, all such powers and do all such things as the Company is authorised to exercise and do in relation to its undertakings.

(2) The State Government may appoint one or more individuals or a Government company as the Custodian or Custodians of the undertakings of the Company in relation to which no direction has been given by it under sub-section (1) of section 6 or sub-section (1) of section 7.

(3) The Custodian or Custodians so appointed shall receive from the funds of the undertakings of the Company such remuneration as the State Government may fix and hold office during the pleasure of the State Government.

Duty of person in charge of management of the undertakings of the Company to deliver all assets, etc.

11. (1) On the vesting of the management of the undertakings of the Company in an existing, or new, Government company or on the appointment of a Custodian or Custodians, all persons in charge of the management of the undertakings of the Company immediately before such vesting or appointment shall be bound to deliver to such Government company, or Custodian or Custodians, as the case may be, all assets, books of account, registers and other documents in their custody relating to the undertakings of such Company.

(2) The State Government may issue such directions as it may deem desirable in the circumstances of the case to the existing, or new, Government company or the Custodian or Custodians as to the power and duties of such Government company or Custodian or Custodians, and such Government company or Custodian or Custodians may also, if it is considered necessary so to do, apply to the State Government at any time for instructions as to the manner in which the management of the undertakings of the Company shall be conducted or in relation to any other matter arising in the course of such management.

(3) Any person, who on the appointed day has in his possession or under his control any books, documents or other papers relating to the undertakings of the Company which have vested in the State Government or in any existing, or new, Government company and which belong to the Company, or would have so belonged if the undertakings of the Company had not vested in the State Government or the existing, or new, Government company, shall be liable to account for the said books, documents or other papers to the State Government or the existing, or new, Government company, as the case may be, and shall deliver them up to the State Government or the existing, or new, Government company, or to such person or body of persons as the State Government or such Government company may specify in this behalf.

(4) The State Government or the existing, or new, Government company may take, or cause to be taken, all necessary steps for securing possession of all undertakings which have vested in the State Government or the existing, or new, Government company under this Ordinance.

(5) The Company shall, within such period as the State Government may allow in this behalf, furnish to that Government a complete inventory of all its properties and assets, as on the appointed day, pertaining to the undertakings which have vested in the State Government under section 3, and, for this purpose, the State Government or the existing, or new, Government company shall afford to the Company all reasonable facilities.

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Sections 12-16.)

Accounts and audit

12. The Custodian or Custodians of the undertakings of the Company shall maintain an account of the undertakings of the Company in such form and under such conditions as may be prescribed and the provisions of the Companies Act, 1956 shall apply to the audit of the accounts so maintained as they apply to the audit of the accounts of a company. 1 of 1956.

Employment of certain employees to continue.

13. (1) Every person who has been, immediately before the appointed day, employed in any of the undertakings of the Company shall become,—

(a) on and from the appointed day, an employee of the State Government, and

(b) where the undertakings of the Company are directed to vest, under sub-section (1) of section 6, in an existing Government company, or under sub-section (1) of section 7, in a new Government company, an employee of such Government company on and from the date of such vesting,

and shall hold office or service under the State Government or the existing, or new, Government company, as the case may be, with the same rights and privileges as to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting or transfer and shall continue to do so unless and until his employment under the State Government or the existing, or new, Government company, as the case may be, is duly terminated or until his remuneration and other conditions of service are duly altered by the State Government or the existing, or new, Government company, as the case may be.

Ordinance to have overriding effect.

14. The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Ordinance, or in any decree or order of any court, tribunal or other authority.

Protection of action taken in good faith.

15. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer of that Government or the Custodian of the undertakings of the Company or the existing, or new, Government company or any officer or other person authorised by that Government or existing, or new, Government company for anything which is in good faith done or intended to be done under this Ordinance.

Power to make rules.

16. (1) The State Government may, by notification, make rules for carrying out the provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which under any provision of this Ordinance, are required to be prescribed or to be provided for by rules.

(3) Every rule made by the State Government under this Ordinance shall be laid, as soon as may be, after it is made, before the State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modifications in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Section 17.)

Power to remove difficulties.

17. If any difficulty arises in giving effect to the provisions of this Ordinance, the State Government may, by order not inconsistent with the provisions of this Ordinance, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of publication of this Ordinance in the *Official Gazette.*

The 19th March, 1996.

K. V. RAGHUNATHA REDDY,
Governor of West Bengal.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056.

Registered No. WB/SC-247 **No. WB(Part-IIIA)/96/SAR-5**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 29] TUESDAY, MARCH 19, 1996 [SAKA 1917

PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Ordinance No. VI of 1996

THE LILY BISCUIT COMPANY (PRIVATE) LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) ORDINANCE, 1996.

WHEREAS the Lily Biscuit Company (Private) Limited had been engaged in the manufacture of Biscuits and confectionery;

AND WHEREAS the management of the undertakings of the Lily Biscuit Company (Private) Limited had been conducted in a manner highly detrimental to the public interest;

AND WHEREAS the management of the undertakings of the Lily Biscuit Company (Private) Limited was taken over by the Central Government under section 18A of the Industries (Development and Regulation) Act, 1951, on and from the 27th day of the March, 1979; 65 of 1951.

AND WHEREAS the period of the taking over of the management of the Company expires on the 26th day of March, 1996;

AND WHEREAS for the purpose of reconstructing and rehabilitating the undertakings of the Lily Biscuit Company (Private) Limited so as to subserve the interest of the general public by augmentation of production and distribution of the aforesaid articles which are essential to the needs of the general public, it is necessary to acquire the undertakings of the Company;

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Sections 1-4.)

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Governor is pleased, in exercise of the power conferred by clause (1) of article 213 of the Constitution of India, to make and promulgate the following Ordinance:—

Short title and commencement.

1. (1) This Ordinance may be called the Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Definitions.

2. In this Ordinance, unless the context otherwise requires,—

(a) "appointed day" means the date on which this Ordinance comes into force;

(b) "Commissioner" means the Commissioner of Payments appointed under section 9;

(c) "Company" means the Lily Biscuit Company (Private) Limited, being a company as defined in the Companies Act, 1956, and having its registered office at 3, Rama Kanta Sen Lane, Calcutta-700 067; 1 of 1956.

(d) "date of taking over of management of the undertakings of the Company" means the 27th day of March, 1979;

(e) "existing Government company" means a Government company which is carrying on business on the appointed day;

(f) "new Government company" means a Government company formed and registered on or after the appointed day;

(g) "notification" means a notification published in the *Official Gazette;*

(h) "prescribed" means prescribed by rules made under this Ordinance;

(i) words and expressions used herein and not defined, but defined in the Companies Act, 1956, have the meanings respectively assigned to them in that Act.

Transfer to, and vesting in, State Government of the undertakings of the Company.

3. On the appointed day, the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings, shall, by virtue of this Ordinance, stand transferred to, and vest in, the State Government.

General effect of vesting.

4. (1) The undertakings of the Company shall be deemed to include all assets, rights, lease-holds, powers, authorities and privileges, and all property, movable and immovable, including lands, buildings, offices, factories, workshops, stores, instruments, plants, machinery and equipment, installations, laboratories, office furniture, stationery and equipment, vehicles, patents, trade marks, cash balances, cash in hand, reserve funds, investments, book debts and all other rights and interests in, or arising out of, such property as were immediately before the appointed day in the ownership, possession, power of control of the Company, whether within or outside India, and all books of accounts, registers and all other documents of whatever nature relating thereto.

(2) All properties and assets as aforesaid which have vested in the State Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charges, liens and all other encumbrances affecting them, and any attachment, injunction, decree or order of any court or other authority restricting the use of such properties or assets in any manner or appointing any receiver in respect of the whole or any part of such properties or assets shall be deemed to have been withdrawn.

(3) Every mortgage of any property which has vested under this Ordinance in the State Government and every person holding any charge, lien or other interest in, or in relation to, any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Section 5.)

(4) For the removal of doubts, it is hereby declared that the mortgagee of any property referred to in sub-section (3) or any other person holding any charge, lien or other interest in, or in relation to, any such property shall be entitled to claim, in accordance with his rights and interests, payment of the mortgage money or other dues, in whole or in part, out of the amount of compensation determined under sub-section (1), and also out of the amount determined under sub-section (2), of section 7, but, no such mortgage, charge, lien or other interests shall be enforceable against any property which has vested in the State Government.

(5) Any licence or other instrument granted to the Company in relation to any undertaking which has vested in the State Government under section 3 at any time before the appointed day and in force immediately before the appointed day shall continue to be in force on and after such day in accordance with its tenor in relation to and for the purpose of such undertaking, and, on and from the date of vesting of such undertaking, under section 6, in an existing Government company, or under section 7, in a new Government company, the existing or the new Government company, as the case may be, shall be deemed to be substituted in such licence or other instrument as if such licence or other instrument had been granted to such existing or new Government company and such existing or new Government company shall hold it for the remainder of the period for which the Company would have held it under the terms thereof.

(6) If, on the appointed day, any suit, appeal or other proceeding of whatever nature, in relation to any property or asset which has vested in the State Government under section 3, instituted or preferred by or against the Company, is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertakings of the Company or of anything contained in this Ordinance, but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, by or against such Government company.

Central Government or State Government or existing or new Government company not to be liable for certain prior liabilities.

5. (1) Every liability, other than the liability specified in sub-section (2), of the Company in respect of any period prior to the appointed day shall be the liability of the Company and shall be enforceable against it and not against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

(2) Any liability arising in respect of—

(a) loans advanced by the Central Government or the State Government, or both, to the Company (together with interest due thereon), on or after the date of taking over of management of the undertakings of the Company,

(b) loans advanced by a bank to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(c) loans advanced by the Industrial Reconstruction Bank of India Limited to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(d) wages, salaries and other dues of employees of the Company and dues on account of any deductions made from wages and salaries and other dues of such employees relating to any period commencing on and from the date of taking over of management of the undertakings of the Company, or

(e) any debt incurred by the Company during any period commencing on and from the date of taking over of management of the undertakings of the Company, not being a debt falling under clause (a), clause (b), clause (c) or clause (d),

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Sections 6, 7.)

shall, on and from the appointed day, be the liability of the State Government or the Government company as aforesaid and shall be discharged by the State Government or the existing Government company or the new Government company as aforesaid as and when repayment of such loans becomes due or such wages, salaries and other dues or debt become due and payable.

(3) For the removal of doubts, it is hereby declared that,—

(a) save as otherwise expressly provided in this Ordinance, no liability of the Company in relation to its undertakings in respect of any period prior to the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(b) no award, decree or order of any court, tribunal or other authority in relation to the undertakings of the Company passed on or after the appointed day, in respect of any matter, claim or dispute, which arose before the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(c) no liability incurred by the Company before the appointed day for the contravention of any provision of any law for the time being in force shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

Power of State Government to direct vesting of the undertakings of the Company in an existing Government company.

6. (1) Notwithstanding anything contained in sections 3 and 4, the State Government may, if it is satisfied that an existing Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that existing Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in an existing Government company, that Government company shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the rights and liabilities, respectively, of that existing Government company.

Power of State Government to direct vesting of the undertakings of the Company in a new Government company

7. (1) Notwithstanding anything contained in sections 3, 4 and 6, the State Government may, if it is satisfied that a new Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that new Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the date of registration of the new Government company) as may be specified in the notification.

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Sections 8-10.)

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in a new Government company, that new Government company shall, on and from the date of such vesting, be deemed to have become the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have come the rights and liabilities, respectively of that new Government company.

Payment of amount.

8. (1) For the transfer to, and vesting in, the State Government, under section 3, of the undertakings of the Company and the right, title and interest of the Company in relation to its undertakings, there shall be given by the State Government to the Company in cash, as a one-time settlement, a sum of rupees one crore forty-seven lakhs and fifty-three thousand within such time as the State Government may by notification specify.

(2) For the avoidance of doubts, it is hereby declared that the liabilities of the Company in relation to the undertakings which have vested in the State Government under section 3, shall be met from the amount specified in sub-section (1).

(3) For the deprivation of the Company of the management of its undertakings, there shall be given to the Company by the State Government an amount of rupees two thousand one hundred and seventy-five.

(4) Every person having a claim to the amount specified in sub-section (1) or sub-section (3) or any part thereof shall prefer such claim before the Commissioner of Payments appointed under section 9 within such period as the State Government may by notification specify.

(5) Notwithstanding anything contained elsewhere in this Ordinance,—

(a) any amount payable to any bank or financial institution towards repayment of the principal amount of any secured loans advanced by such bank or financial institution to the Company before the date of taking over of management of the undertakings of the Company, shall be paid directly by the State Government to such bank or financial institution in accordance with such agreement, in writing, as the State Government and the bank or the financial institution may enter into with each other; and

(b) the amount payable by the State Government directly to any bank or financial institution under clause (a) shall be deducted from the amounts payable to the Company under this section.

Appointment of Commissioner of Payments.

9. (1) The State Government shall, for the purpose of disbursing the amounts payable under section 8, by notification, appoint a Commissioner of Payments.

(2) The salaries and allowances of the Commissioner appointed under this section shall be defrayed out of the Consolidated Fund of the State.

Management, etc., of the undertakings of the Company.

10. (1) The general superintendence, direction, control and management of the affairs and business of the undertakings of the Company, the right, title and interest in relation to which have vested in the State Government under section 3, shall,—

(a) where a direction has been given by the State Government under sub-section (1) of section 6, vest, on and from the date specified in such direction, in the existing Government company specified therein, or

(b) where a direction has been given by the State Government under sub-section (1) of section 7, vest, on and from the date specified in such direction, in the new Government company specified therein, or

(c) where no direction referred to in clause (a) or clause (b) has been given, vest in one or more Custodians appointed by the State Government under sub-section (2),

and thereupon the existing, or new, Government company so specified or the Custodian or Custodians so appointed, as the case may be, shall be entitled to exercise, to the exclusion of all other persons, all such powers and do all such things as the Company is authorised to exercise and do in relation to its undertakings.

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Sections 11-13.)

(2) The State Government may appoint one or more individuals or a Government company as the Custodian or Custodians of the undertakings of the Company in relation to which no direction has been given by it under sub-section (1) of section 6 or sub-section (1) of section 7.

(3) The Custodian or Custodians so appointed shall receive from the funds of the undertakings of the Company such remuneration as the State Government may fix and hold office during the pleasure of the State Government.

Duty of person in charge of management of the undertakings of the Company to deliver all assets, etc.

11. (1) On the vesting of the management of the undertakings of the Company in an existing, or new, Government company or on the appointment of a Custodian or Custodians, all persons in charge of the management of the undertakings of the Company immediately before such vesting or appointment shall be bound to deliver to such Government company, or Custodian or Custodians, as the case may be, all assets, books of account, registers and other documents in their custody relating to the undertakings of such Company.

(2) The State Government may issue such directions as it may deem desirable in the circumstances of the case to the existing, or new, Government company or the Custodian or Custodians as to the power and duties of such Government company or Custodian or Custodians, and such Government company or Custodian or Custodians may also, if it is considered necessary so to do, apply to the State Government at any time for instructions as to the manner in which the management of the undertakings of the Company shall be conducted or in relation to any other matter arising in the course of such management.

(3) Any person, who on the appointed day has in his possession or under his control any books, documents or other papers relating to the undertakings of the Company which have vested in the State Government or in any existing, or new, Government company and which belong to the Company, or would have so belonged if the undertakings of the Company had not vested in the State Government or the existing, or new, Government company, shall be liable to account for the said books, documents or other papers to the State Government or the existing, or new, Government company, as the case may be, and shall deliver them up to the State Government or the existing, or new, Government company, or to such person or body of persons as the State Government or such Government company may specify in this behalf.

(4) The State Government or the existing, or new, Government company may take, or cause to be taken, all necessary steps for securing possession of all undertakings which have vested in the State Government or the existing, or new, Government company under this Ordinance.

(5) The Company shall, within such period as the State Government may allow in this behalf, furnish to that Government a complete inventory of all its properties and assets, as on the appointed day, pertaining to the undertakings which have vested in the State Government under section 3, and, for this purpose, the State Government or the existing, or new, Government company shall afford to the Company all reasonable facilities.

Accounts and audit.

12. The Custodian or Custodians of the undertakings of the Company shall maintain an account of the undertakings of the Company in such form and under such conditions as may be prescribed and the provisions of the Companies Act, 1956 shall apply to the audit of the accounts so maintained as they apply to the audit of the accounts of a company. 1 of 1956.

Employment of certain employees to continue.

13. (1) Every person who has been, immediately before the appointed day, employed in any of the undertakings of the Company shall become,—

(a) on and from the appointed day, an employee of the State Government, and

(b) where the undertakings of the Company are directed to vest, under sub-section (1) of section 6, in an existing Government company, or under sub-section (1) of section 7, in a new Government company, an employee of such Government company on and from the date of such vesting,

and shall hold office or service under the State Government or the existing, or new, Government company, as the case may be, with the same rights and privileges as to

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Sections 14-17.)

pension, gratuity and other matters as would have been admissible to him if there had been no such vesting or transfer and shall continue to do so unless and until his employment under the State Government or the existing, or new, Government company, as the case may be, is duly terminated or until his remuneration and other conditions of service are duly altered by the State Government or the existing, or new, Government company, as the case may be.

Ordinance to have overriding effect.

14. The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Ordinance, or in any decree or order of any court, tribunal or other authority.

Protection of action taken in good faith.

15. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer of that Government or the Custodian of the undertakings of the Company or the existing, or new, Government company or any officer or other person authorised by that Government or existing, or new, Government company for anything which is in good faith done or intended to be done under this Ordinance.

Power to make rules.

16. (1) The State Government may, by notification, make rules for carrying out the provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which under any provision of this Ordinance, are required to be prescribed or to be provided for by rules.

(3) Every rule made by the State Government under this Ordinance shall be laid, as soon as may be, after it is made, before the State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modifications in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to remove difficulties.

17. If any difficulty arises in giving effect to the provisions of this Ordinance, the State Government may, by order not inconsistent with the provisions of this Ordinance, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of publication of this Ordinance in the *Official Gazette*.

K. V. RAGHUNATHA REDDY.
Governor of West Bengal.

The 19th March, 1996.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-IIIA)/96/SAR-6**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 29] TUESDAY, MARCH 19, 1996 [SAKA 1917

PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Ordinance No. VII of 1996

THE LILY BARLEY MILLS (PRIVATE) LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) ORDINANCE, 1996.

WHEREAS the Lily Barley Mills (Private) Limited had been engaged in the manufacture of flour;

AND WHEREAS the management of the undertakings of the Lily Barley Mills (Private) Limited had been conducted in a manner highly detrimental to the public interest;

AND WHEREAS the management of the undertakings of the Lily Barley Mills (Private) Limited was taken over by the Central Government under section 18A of the Industries (Development and Regulation) Act, 1951, on and from the 27th day of March, 1979; 65 of 1951.

AND WHEREAS the period of the taking over of the management of the Company expires on the 26th day of March, 1996;

AND WHEREAS for the purpose of reconstructing and rehabilitating the undertakings of the Lily Barley Mills (Private) Limited so as the subserve the interest of the general public by augmentation of production and distribution of the aforesaid articles which are essential to the needs of the general public, it is necessary to acquire the undertakings of the Company;

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Governor is pleased, in exercise of the power conferred by clause (1) of article 213 of the Constitution of India, to make and promulgate the following Ordinance:—

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Sections 1-4.)

Short title and commencement

1. (1) This Ordinance may be called the Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Definitions.

2. In this Ordinance, unless the context otherwise requires,—

(a) "appointed day" means the date on which this Ordinance comes into force;

(b) "Commissioner" means the Commissioner of Payments appointed under section 9;

(c) "Company" means the Lily Barley Mills (Private) Limited, being a company as defined in the Companies Act, 1956, and having its registered office at 19, Murari Pukur Lane, Calcutta-700 067; 1 of 1956.

(d) "date of taking over of management of the undertakings of the Company" means the 27th day of March, 1979;

(e) "existing Government company" means a Government company which is carrying on business on the appointed day;

(f) "new Government company" means a Government company formed and registered on or after the appointed day;

(g) "notification" means a notification published in the *Official Gazette*;

(h) "prescribed" means prescribed by rules made under this Ordinance;

(i) words and expressions used herein and not defined, but defined in the Companies Act, 1956, have the meanings respectively assigned to them in that Act.

Transfer to, and vesting in, State Government of the undertakings of the Company.

3. On the appointed day,the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings, shall, by virtue of this Ordinance, stand transferred to, and vest in, the State Government.

General effect of vesting.

4. (1) The undertakings of the Company shall be deemed to include all assets, rights, lease-holds, powers, authorities and privileges, and all property, movable and immovable, including lands, buildings, offices, factories, workshops, stores, instruments, plants, machinery and equipment, installations, laboratories, office furniture, stationery and equipment, vehicles, patents, trade marks, cash balances, cash in hand, reserve funds, investments, book debts and all other rights and interests in, or arising out of, such property as were immediately before the appointed day in the ownership, possession, power or control of the Company, whether within or outside India, and all books of accounts, registers and all other documents of whatever nature relating thereto.

(2) All properties and assets as aforesaid which have vested in the State Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charges, liens and all other encumbrances affecting them, and any attachment, injunction, decree or order of any court or other authority restricting the use of such properties or assets in any manner or appointing any receiver in respect of the whole or any part of such properties or assets shall be deemed to have been withdrawn.

(3) Every mortgagee of any property which has vested under this Ordinance in the State Government and every person holding any charge, lien or other interest in, or in relation to, any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Section 5.)

(4) For the removal of doubts, it is hereby declared that the mortgagee of any property referred to in sub-section (3) or any other person holding any charge, lien or other interest in, or in relation to, any such property shall be entitled to claim, in accordance with his rights and interests, payment of the mortgage money or other dues, in whole or in part, out of the amount of compensation determined under sub-section (1), and also out of the amount determined under sub-section (2), of section 7, but, no such mortgage, charge, lien or other interests shall be enforceable against any property which has vested in the State Government.

(5) Any licence or other instrument granted to the Company in relation to any undertaking which has vested in the State Government under section 3 at any time before the appointed day and in force immediately before the appointed day shall continue to be in force on and after such day in accordance with its tenor in relation to and for the purpose of such undertaking, and, on and from the date of vesting of such undertaking, under section 6, in an existing Government company, or under section 7, in a new Government company, the existing or the new Government company, as the case may be, shall be deemed to be substituted in such licence or other instrument as if such licence or other instrument had been granted to such existing or new Government company and such existing or new Government company shall hold it for the remainder of the period for which the Company would have held it under the terms thereof.

(6) If, on the appointed day, any suit, appeal or other proceeding of whatever nature, in relation to any property or asset which has vested in the State Government under section 3, instituted or preferred by or against the Company, is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertakings of the Company or of anything contained in this Ordinance, but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, by or against such Government company.

Central Government or State Government or existing or new Government company not to be liable for certain prior liabilities.

5. (1) Every liability, other than the liability specified in sub-section (2), of the Company in respect of any period prior to the appointed day shall be the liability of the Company and shall be enforceable against it and not against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

(2) Any liability arising in respect of—

(a) loans advanced by the Central Government or the State Government, or both, to the Company (together with interest due thereon), on or after the date of taking over of management of the undertakings of the Company,

(b) loans advanced by a bank to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(c) loans advanced by the Industrial Reconstruction Bank of India Limited to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(d) wages, salaries and other dues of employees of the Company and dues on account of any deductions made from wages and salaries and other dues of such employees relating to any period commencing on and from the date of taking over of management of the undertakings of the Company, or

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Section 6.)

(e) any debt incurred by the Company during any period commencing on and from the date of taking over of management of the undertakings of the Company, not being a debt falling under clause (a), clause (b), clause (c) or clause (d),

shall, on and from the appointed day, be the liability of the State Government or the Government company as aforesaid and shall be discharged by the State Government or the existing Government company or the new Government company as aforesaid as and when repayment of such loans becomes due or such wages, salaries and other dues or debt become due and payable.

(3) For the removal of doubts, it is hereby declared that,—

(a) save as otherwise expressly provided in this Ordinance, no liability of the Company in relation to its undertakings in respect of any period prior to the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(b) no award, decree or order of any court, tribunal or other authority in relation to the undertakings of the Company passed on or after the appointed day, in respect of any matter, claim or dispute, which arose before the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(c) no liability incurred by the Company before the appointed day for the contravention of any provision of any law for the time being in force shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

Power of State Government to direct vesting of the undertakings of the Company in an existing Government company.

6. (1) Notwithstanding anything contained in sections 3 and 4, the State Government may, if it is satisfied that an existing Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested is the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that existing Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in an existing Government company, that Government company shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the rights and liabilities, respectively, of that existing Government company.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Sections 7-9.)

Power of State Government to direct vesting of the undertakings of the Company in a new Government company

7. (1) Notwithstanding anything contained in sections 3, 4 and 6, the State Government may, if it is satisfied that a new Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that new Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the date of registration of the new Government company) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in a new Government company, that new Government company shall, on and from the date of such vesting, be deemed to have become the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have come the rights and liabilities, respectively of that new Government company.

Payment of amount

8. (1) For the transfer to, and vesting in, the State Government, under section 3, of the undertakings of the Company and the right, title and interest of the Company in relation to its undertakings, there shal! be given by the State Government to the Company in cash, as a one-time settlement, a sum of rupees forty-one thousand within such time as the State Government may by notification specify.

(2) For the avoidance of doubts, it is hereby declared that the liabilities of the Company in relation to the undertakings which have vested in the State Government under section 3, shall be met from the amount specified in sub-section (1).

(3) For the deprivation of the Company of the management of its undertakings, there shall be given to the Company by the State Government an amount of rupees five hundred and twenty-three.

(4) Every person having a claim to the amount specified in sub-section (1) or sub-section (3) or any part thereof shall prefer such claim before the Commissioner of Payments appointed under section 9 within such period as the State Government may by notification specify.

(5) Notwithstanding anything contained elsewhere in this Ordinance,—

(a) any amount payable to any bank or financial institution towards repayment of the principal amount of any secured loans advanced by such bank or financial institution to the Company before the date of taking over of management of the undertakings of the Company, shall be paid directly by the State Government to such bank or financial institution in accordance with such agreement, in writing, as the State Government and the bank or the financial institution may enter into with each other; and

(b) the amount payable by the State Government directly to any bank or financial institution under clause (a) shall be deducted from the amounts payable to the Company under this section.

Appointment of Commissioner of Payments

9. (1) The State Government shall, for the purpose of disbursing the amounts payable under section 8, by notification, appoint a Commissioner of Payments.

(2) The salaries and allowances of the Commissioner appointed under this section shall be defrayed out of the Consolidated Fund of the State.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Sections 10, 11.)

Management, etc., of the undertakings of the Company.

10. (1) The general superintendence, direction, control and management of the affairs and business of the undertakings of the Company, the right, title and interest in relation to which have vested in the State Government under section 3, shall,—

(a) where a direction has been given by the State Government under sub-section (1) of section 6, vest, on and from the date specified in such direction, in the existing Government company specified therein, or

(b) where a direction has been given by the State Government under sub-section (1) of section 7, vest, on and from the date specified in such direction, in the new Government company specified therein, or

(c) where no direction referred to in clause (a) or clause (b) has been given, vest in one or more Custodians appointed by the State Government under sub-section (2),

and thereupon the existing, or new, Government company so specified or the Custodian or Custodians so appointed, as the case may be, shall be entitled to exercise, to the exclusion of all other persons, all such powers and do all such things as the Company is authorised to exercise and do in relation to its undertakings.

(2) The State Government may appoint one or more individuals or a Government company as the Custodian or Custodians of the undertakings of the Company in relation to which no direction has given by it under sub-section (1) of section 6 or sub-section (1) of section 7.

(3) The Custodian or Custodians so appointed shall receive from the funds of the undertakings of the Company such remuneration as the State Government may fix and hold office during the pleasure of the State Government.

Duty of person in charge of management of the undertakings of the Company to deliver all assets, etc.

11. (1) On the vesting of the management of the undertakings of the Company in an existing, or new, Government company or on the appointment of a Custodian or Custodians, all persons in charge of the management of the undertakings of the Company immediately before such vesting or appointment shall be bound to deliver to such Government company, or Custodian or Custodians, as the case may be, all assets, books of account, registers and other documents in their custody relating to the undertakings of such Company.

(2) The State Government may issue such directions as it may deem desirable in the circumstances of the case to the existing, or new, Government company or the Custodian or Custodians as to the power and duties of such Government company or Custodian or Custodians, and such Government company or Custodian or Custodians may also, if it is considered necessary so to do, apply to the State Government at any time for instructions as to the manner in which the management of the undertakings of the Company shall be conducted or in relation to any other matter arising in the course of such management.

(3) Any person, who on the appointed day has in his possession or under his control any books, documents or other papers relating to the undertakings of the Company which have vested in the State Government or in any existing, or new, Government company and which belong to the Company, or would have so belonged if the undertakings of the Company had not vested in the State Government or the existing, or new, Government company, shall be liable to account for the said books, documents or other papers to the State Government or the existing, or new, Government company, as the case may be, and shall deliver them up to the State Government or the existing, or new, Government company, or to such person or body of persons as the State Government or such Government company may specify in this behalf.

(4) The State Government or the existing, or new, Government company may take, or cause to be taken, all necessary steps for securing possession of all undertakings which have vested in the State Government or the existing, or new, Government company under this Ordinance.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Sections 12-16.)

(5) The Company shall, within such period as the State Government may allow in this behalf, furnish to that Government a complete inventory of all its properties and assets, as on the appointed day, pertaining to the undertakings which have vested in the State Government under section 3, and, for this purpose, the State Government or the existing, or new, Government company shall afford to the Company all reasonable facilities.

Accounts and audit.

12. The Custodian or Custodians of the undertakings of the Company shall maintain an account of the undertakings of the Company in such form and under such conditions as may be prescribed and the provisions of the Companies Act, 1956 shall apply to the audit of the accounts so maintained as they apply to the audit of the accounts of a company. 1 of 1956

Employment of certain employees to continue.

13. (1) Every person who has been, immediately before the appointed day, employed in any of the undertakings of the Company shall become,—

(a) on and from the appointed day, an employee of the State Government, and

(b) where the undertakings of the Company are directed to vest, under sub-section (1) of section 6, in an existing Government company, or under sub-section (1) of section 7, in a new Government company, an employee of such Government company on and from the date of such vesting,

and shall hold office or service under the State Government or the existing, or new, Government company, as the case may be, with the same rights and privileges as to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting or transfer and shall continue to do so unless and until his employment under the State Government or the existing, or new, Government company, as the case may be, is duly terminated or until his remuneration and other conditions of service are duly altered by the State Government or the existing, or new, Government company, as the case may be.

Ordinance to have overriding effect

14. The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Ordinance, or in any decree or order of any court, tribunal or other authority.

Protection of action taken in good faith

15. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer of that Government or the Custodian of the undertakings of the Company or the existing, or new, Government company or any officer or other person authorised by that Government or existing, or new, Government company for anything which is in good faith done or intended to be done under this Ordinance.

Power to make rules.

16. (1) The State Government may, by notification, make rules for carrying out the provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which under any provision of this Ordinance, are required to be prescribed or to be provided for by rules.

(3) Every rule made by the State Government under this Ordinance shall be laid, as soon as may be, after it is made, before the State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modifications in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996.

(Section 17.)

Power to remove difficulties

17. If any difficulty arises in giving effect to the provisions of this Ordinance, the State Government may, by order not inconsistent with the provisions of this Ordinance, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of publication of this Ordinance in the *Official Gazette.*

The 19th March, 1996.

K. V. RAGHUNATHA REDDY,
Governor of West Bengal.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-6**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 30] WEDNESDAY, MARCH 20, 1996 [SAKA 1917

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 542-L.—20th March, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act III of 1996

THE WEST BENGAL SALES TAX (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 20th March, 1996.]

An Act to amend the West Bengal Sales Tax Act, 1994.

WHEREAS it is expedient to amend the West Bengal Sales Tax Act, 1994, for the purposes and in the manner hereinafter appearing; West Ben. Act XLIX of 1994

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Sales Tax (Amendment) Act, 1996.

(2) Section 1 and clause (b) of section 2 shall be deemed to have come into force on the 1st day of May, 1995; clause (a) of section 2, section 4 and section 6 shall be deemed to have come into force on the 1st day of November, 1995; and the remaining provisions of this Act shall come into force on such date, or shall be deemed to have come into force on such date not earlier than the 1st day of May, 1995, as the State Government may, by notification in the *Official Gazette,* appoint, and different dates may be appointed for different provisions of this Act.

The West Bengal Sales Tax (Amendment) Act, 1996.

(Sections 2-5.)

Amendment of section 2 of West Ben Act XLIX of 1994.

2. In the West Bengal Sales Tax Act, 1994 (hereinafter referred to as the principal Act), in section 2,—

(a) in clause (35), after the words and figures "surcharge payable under section 16", the words, figures and letter "and additional sales tax payable under section 18A" shall be inserted;

(b) in clause (40), in sub-clause (a), after the words "in West Bengal," the words "but excluding such sales as the State Government may, by notification, specify," shall be inserted

Amendment of section 14

3. In section 14 of the principal Act,—

(a) after sub-section (2), the following sub-section shall be inserted:—

"(2A) Every casual trader liable to pay tax under sub-section (1) on purchases of any goods shall pay, in such manner and within such time as may be prescribed, the amount of tax payable on purchase price of such goods."

(b) in sub-section (4),—

(i) after the words "in respect of such goods", the words, figures, letter and brackets "and, if the person is a casual trader liable to pay tax under sub-section (1), document evidencing payment of tax made under sub-section (2A)" shall be inserted,

(ii) in clause (a), after the words, figure and brackets "under sub-section (1)", the words and figures "and has complied with the restrictions and conditions referred to in section 73" shall be inserted;

(iii) in clause (b), after the words "on behalf of a casual trader", the words, figures, letter and brackets "liable to pay tax under sub-section (1) and the evidence of payment under sub-section (2A) is not produced" shall be inserted;

(c) in sub-section (8), the words "or transporter" shall be omitted.

Insertion of new section 18A

4. After section 18 of the principal Act, the following section shall be inserted:—

"Levy and rate of additional sales tax

18A (1) In addition to surcharge payable under section 16, there shall be levied an additional sales tax on the tax payable by a dealer under section 17 in respect of sales of goods specified in part B of Schedule IV, other than furnace oil and kerosene oil, at the rate of twenty *per centum* of such tax.

(2) No dealer shall realise from his purchaser any amount of additional sales tax payable by him under this section."

Substitution of new section for section 73

5. For section 73 of the principal Act, the following section shall be substituted:—

"Measure to prevent evasion of tax on sales in West Bengal or to ensure payment of tax on purchases in West Bengal

73. (1) No consignment of—

(a) (i) goods, imported from outside West Bengal or manufactured in West Bengal, or goods, other than those specified in Schedule IV, purchased in West Bengal, shall be despatched by a consignor in a goods vehicle from any place in West Bengal to a destination in West Bengal, or

(ii) goods shall be despatched by a consignor in a goods vehicle from any place in West Bengal to a destination outside West Bengal, or

The West Bengal Sales Tax (Amendment) Act, 1996.

(Section 6.)

(b) goods shall be carried by a transporter in a goods vehicle from any place in West Bengal to a destination in or outside West Bengal,

except in accordance with such restrictions and conditions as may be prescribed to prevent evasion of tax on sales in West Bengal or to ensure payment of tax on purchases in West Bengal, as the case may be:

Provided that the provisions of this sub-section shall not apply where the transporter carrying such goods proves to the satisfaction of the person appointed under sub-section (1) of section 3 and authorised by the Commissioner in this behalf (hereinafter referred to in this section as the authorised officer) that consequent upon sale of goods in the course of export within the meaning of sub-section (1) of section 5 of the Central Sales Tax Act, 1956, a goods vehicle carrying such goods is bound for such country as the State Government may, by notification, specify. 74 of 1956.

(2) If, any person transporting any consignment of goods, or any person in charge of a goods vehicle carrying such consignment at the time of interception, contravenes the provisions of clause (b) of sub-section (1), the authorised officer shall first intercept and detain the goods vehicle for a period ordinarily not exceeding twenty-four hours to enable him to furnish such document as provided in sub-section (1) in respect of such consignment of goods, and thereafter, if such person fails to furnish such document, the authorised officer shall seize such consignment of goods from his custody.

(3) Where any consignment of goods is seized under sub-section (2), the authorised officer may, after giving an opportunity of being heard to the person transporting the consignment of goods or the person in charge of such vehicle, as the case may be, from whom such consignment is seized, by an order in writing, impose on him a penalty to the extent of not less than one thousand rupees and not more than twenty thousand rupees for contravention of the provisions of clause (b) of sub-section (1), and direct him to pay such penalty in such manner and by such time as may be prescribed.

(4) The consignment of goods seized under sub-section (2) shall be released on payment of penalty imposed under sub-section (3).

(5) If the penalty imposed under sub-section (3) is not paid, the seized goods shall be sold in open auction and the sale proceeds thereof shall be applied in the manner, and subject to the conditions, provided in sub-section (4), sub-section (5), sub-section (6), sub-section (7), and sub-section (8), of section 71, as may be applicable for the purposes of this section.

(6) If the State Government is, at any time, of the opinion that it would be in the public interest so to do, it may, by notification, exempt from such date, for such period, and subject to such conditions, as may be specified therein, any class or classes of transporter carrying any class or classes of goods referred to in sub-section (1) from complying with the restrictions and conditions referred to in that sub-section."

Amendment of section 88.

6. In section 88 of the principal Act,—

(a) after sub-section (8), the following sub-section shall be inserted:—

" (8A) Whoever realises any amount of additional sales tax referred to in section 18A in contravention of the provisions thereof shall be punishable with imprisonment of either description which shall not be less than three months but which may extend to one year or with fine not exceeding five thousand rupees or with both."

(b) in sub-section (10), for the words, figure and brackets "or sub-section (8)", the words, figures, letter and brackets, "sub-section (8) or sub-section (8A)" shall be substituted.

The West Bengal Sales Tax (Amendment) Act, 1996.

(Section 7.)

Repeal and saving

7. (1) The West Bengal Sales Tax (Amendment) Ordinance, 1995, is hereby repealed. West Ben Ord II of 1995

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

By order of the Governor,

S. MAITRA,

Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty' Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-59

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 30] WEDNESDAY, MARCH 20, 1996 [SAKA 1917

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 711-F.T. Calcutta, the 20th March, 1996.

NOTIFICATION

In exercise of the power conferred by sub-section (2) of section 1 of the West Bengal Sales Tax (Amendment) Act, 1996 (West Ben. Act III of 1996), the Governor is pleased hereby to appoint the 20th day of March, 1996, as the date on which section 7 of the said Act shall come into force.

By order of the Governor,

N. BARMAN ROY,
Asstt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-63

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

CHAITRA 5] MONDAY, MARCH 25, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

EDUCATION DEPARTMENT

Primary Branch

No. 209-S.E. (Pry.) Calcutta, the 25th March, 1996.

NOTIFICATION

In exercise of the power conferred by section 106, read with section 78A and section 78BB, of the West Bengal Primary Education Act, 1973 (West Ben. Act XLIII of 1973), the Governor is pleased hereby to make, after previous publication, as required by sub-section (1) of the said section 106, the following amendments in the West Bengal Primary Education (Levy of Cess on Tea Estate) Rules, 1984, as subsequently amended (hereinafter referred to as the said rules):—

Amendments

In the said rules, *renumber* Form VII inserted by clause (3) of notification No. 335-Edn. (P), dated the 28th April, 1993, as Form VIII, and in Form VIII as so renumbered,—

(1) for the words, figures, letter and brackets "[*See* rule 10B]", *substitute* the words, figures, letter and brackets "[*See* rule 14A]";

(2) for the words and brackets "(name of the woner of a tea estate)", *substitute* the word and brackets "(Addressee)";

(3) for the words and brackets "(address of the owner)", *substitute* the word and brackets "(Address)";

(4) in the preamble, in the first paragraph, *omit* the words "/coal-bearing land".

2. This notification shall be deemed to have come into force from the 1st day of February, 1993.

By order of the Governor,

J. R. SAHA,
Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-7**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

CAITRA 7] WEDNESDAY, MARCH 27, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 580-L.—27th March, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act IV of 1996

THE WEST BENGAL PRIMARY EDUCATION (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 27th March, 1996.]

An Act to amend the West Bengal Primary Education Act, 1973.

Whereas it is expedient to amend the West Bengal Primary Education Act, 1973, for the purposes and in the manner hereinafter appearing; West Ben. Act XLIII of 1973.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the West Bengal Primary Education (Amendment) Act, 1996.

(2) It shall be deemed to have come into force on the 1st day of February, 1996.

The West Bengal Primary Education (Amendment) Act, 1996.

(Sections 2-5.)

Amendment of section 2 of West Ben Act XLIII of 1973

2. In section 2 of the West Bengal Primary Education Act, 1973 (hereinafter referred to as the principal Act),—

(1) for clause (xvii), the following clause shall be substituted:—

'(xvii) "primary education" means such elementary education as is imparted through a primary school;';

(2) for clause (xviii), the following clause shall be substituted:—

'(xviii) "primary school" means a school, or a department of a school, set up under this Act for imparting such primary education as the State Government may prescribe, and includes a primary school, or a junior basic school, recognised under this Act and in existence on the date of coming into force of the West Bengal Primary Education (Amendment) Act, 1996;';

(3) in clause (xx), after the words "rules made", the words "or notifications or orders issued, as the case may be," shall be inserted.

Amendment of section 60.

3. In sub-section (1) of section 60 of the principal Act,—

(1) for clause (1), the following clause shall be substituted:—

"(1) (i) to withdraw recognition of any primary school on such ground, and following such procedure, as the State Government may prescribe, and

(ii) to grant financial aid to a recognised primary school, or to withdraw financial aid to a recognised primary school on such ground, and in such manner, as the State Government may prescribe;";

(2) for clause (11), the following clause shall be substituted:—

"(11) to amalgamate two or more primary schools into one primary school, to split a primary school into two or more primary schools, and to shift a primary school from one site to another;".

Amendment of section 105.

4. In sub-section (3) of section 105 of the principal Act, for the words "shall be deemed to have been recognised", the words "shall continue to be recognised" shall be substituted.

Amendment of section 106.

5. For sub-section (2) of section 106 of the principal Act, the following sub-section shall be substituted:—

"(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters:—

(a) the manner of election of the members of the Board referred to in clauses (c), (d), (e), (f), (g), (h) and (i) of section 4;

(b) the allowances, and the rates of allowances, referred to in section 18;

(c) the form of the budget estimate of the Board referred to in sub-section (1) of section 30;

(d) the manner of keeping an account of the Board referred to in section 34, and the manner of examination and audit of accounts of the Board referred to in sub-section (1) of section 35;

(e) the manner of election of the members of the District Primary School Council referred to in clauses (d), (e), (f), (g) and (h) of sub-section (2) of section 37 and clauses (c), (d), (g), (gg) and (ggg) of sub-section (2) of section 38;

The West Bengal Primary Education (Amendment) Act, 1996.

(Sections 6, 7.)

(f) the form of the budget estimate of the Primary School Council referred to in sub-section (1) of section 69;

(g) the manner of reappropriation to be sanctioned under section 71, the manner of keeping an account of a Primary School Council referred to in section 73 and the manner of examination and audit of accounts of a Primary School Council referred to in section 74;

(h) the manner in which the tax referred to in section 77 shall be levied and collected;

(i) the form of the scheme referred to in, and the particulars referred to in clause (g) of, section 80;

(j) the time of filing an appeal or referring a dispute, and the procedure to be followed by the Tribunal, referred to in sub-section (1) of section 92;

(k) any other matter which may be, or is required to be, prescribed.".

Insertion of new section 107

6. After section 106 of the principal Act, the following section shall be inserted:—

"Power of State Government to issue notification or order in place of making rules

107. Notwithstanding anything contained in section 106 or elsewhere in this Act, the State Government may—

(a) issue any notification or order for carrying out any of the purposes of this Act for which that Government does not consider it necessary to make rules, or

(b) issue any notification or order, not inconsistent with the provisions of this Act, in place of making rules under this Act if that Government considers it necessary so to do.".

Repeal and saving.

7. (1) The West Bengal Primary Education (Amendment) Ordinance, 1996, is hereby repealed. West Ben. Ord. II of 1996.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

By order of the Governor,

S. MAITRA,

Special Officer & ex officio

Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No. WB/DTP/Pt.IA/CPS/96/1508

The Calcutta Gazette

Extraordinary

Published by Authority

CHAITRA 7] WEDNESDAY, MARCH 27, 1996 [SAKA 1918

PART IA — Orders and Notifications of the Government of India, Statutory Notifications of the Election Commission, India and other Election Notifications published for general information. Orders and Notifications which have originally been published in the "Gazette of India" are only republished.

GOVERNMENT OF WEST BENGAL
Office of the Chief Secretary, West Bengal

NOTIFICATION

No. 3602-HOME (ELEC) Dated: 27th March, 1996.
7 Chaitra, 1918 (Saka)

Whereas it has been decided to hold a general election in the State of West Bengal for the purpose of constituting a new Legislative Assembly on the expiration of the duration of the existing Legislative Assembly;

And whereas, in pursuance of sub-section (2) of section 15 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission has recommended the 27th March, 1996, as the date for the publication of the notification in the official Gazette of the State by the Governor of West Bengal for the above purpose;

Now, therefore, in pursuance of the said section, the Governor of West Bengal hereby calls upon all the assembly constituencies in the State to elect members in accordance with the provisions of the said Act and of the Rules and Orders made thereunder.

By Order of the Governor

N. Krishnamurthi

Chief Secretary to the
Government of West Bengal

ELECTION COMMISSION OF INDIA
Nirvachan Sadan
Ashoka Road
New Delhi-110 001

NOTIFICATION

No. 464/WB-LA/96(1). Dated: 27th March, 1996.
7th Chaitra, 1918 (Saka)

WHEREAS, the Governor of West Bengal has, by a notification under sub-section (2) of section 15 of the Representation of the People Act, 1951 (43 of 1951), published in the official Gazette of the State on 27th March, 1996, called upon all the assembly constituencies in the State, to elect members for the purpose of constituting a new Legislative Assembly for the State;

NOW, THEREFORE, in pursuance of the provisions of section 30 OF the said Act, the Election Commission of India hereby appoints with respect to the said election :-

(a) the 3rd April, 1996 (Wednesday), as the last date for making nominations;

(b) the 4th April, 1996 (Thursday), as the date for the scrutiny of nominations;

(c) the 6th April, 1996 (Saturday), as the last date for withdrawal of candidatures;

(d) for each assembly constituency, specified in column (1) of the TABLE below, the date specified against the said assembly constituency in column (2) thereof, as the date on which a poll shall, if necessary, be taken in that constituency.

TABLE

No. & Name of the Constituency	Date of Poll
(1)	(2)
1- Mekliganj (SC)	2nd May, 1996 (Thursday)
2- Sitalkuchi (SC)	2nd May, 1996 (Thursday)
3- Mathabhanga (SC)	2nd May, 1996 (Thursday)
4- Cooch Behar North	2nd May, 1996 (Thursday)
5- Cooch Behar West	2nd May, 1996 (Thursday)
6- Sitai	2nd May, 1996 (Thursday)
7- Dinhata	2nd May, 1996 (Thursday)
8- Natabari	2nd May, 1996 (Thursday)
9- Tufanganj (SC)	2nd May, 1996 (Thursday)
10- Kumargram (ST)	2nd May, 1996 (Thursday)
11- Kalchini (ST)	2nd May, 1996 (Thursday)
12- Alipurduars	2nd May, 1996 (Thursday)
13- Falakata (SC)	2nd May, 1996 (Thursday)
14- Madarihat (ST)	2nd May, 1996 (Thursday)
15- Dhupguri (SC)	2nd May, 1996 (Thursday)
16- Nagrakata (ST)	2nd May, 1996 (Thursday)
17- Mainaguri (SC)	2nd May, 1996 (Thursday)
18- Mal (ST)	2nd May, 1996 (Thursday)
19- Kranti	2nd May, 1996 (Thursday)
20- Jalpaiguri	2nd May, 1996 (Thursday)
21- Rajganj (SC)	2nd May, 1996 (Thursday)
22- Kalimpong	2nd May, 1996 (Thursday)
23- Darjeeling	2nd May, 1996 (Thursday)
24- Kurseong	2nd May, 1996 (Thursday)
25- Siliguri	2nd May, 1996 (Thursday)
26- Phansidewa (ST)	2nd May, 1996 (Thursday)
27- Chopra	2nd May, 1996 (Thursday)
28- Islampur	2nd May, 1996 (Thursday)
29- Goalpokhar	2nd May, 1996 (Thursday)
30- Karandighi	2nd May, 1996 (Thursday)
31- Raiganj (SC)	2nd May, 1996 (Thursday)
32- Kaliaganj (SC)	2nd May, 1996 (Thursday)
33- Kushmandi (SC)	2nd May, 1996 (Thursday)
34- Itahar	2nd May, 1996 (Thursday)
35- Gangarampur	2nd May, 1996 (Thursday)
36- Tapan (ST)	2nd May, 1996 (Thursday)
37- Kumarganj	2nd May, 1996 (Thursday)
38- Balurghat	2nd May, 1996 (Thursday)
39- Habibpur (ST)	2nd May, 1996 (Thursday)
40- Gajol (ST)	2nd May, 1996 (Thursday)
41- Kharba	2nd May, 1996 (Thursday)
42- Harishchandrapur	2nd May, 1996 (Thursday)
43- Ratua	2nd May, 1996 (Thursday)
44- Araidanga	2nd May, 1996 (Thursday)
45- Malda (SC)	2nd May, 1996 (Thursday)
46- Englishbazar	2nd May, 1996 (Thursday)
47- Manikchak	2nd May, 1996 (Thursday)
48- Suzapur	2nd May, 1996 (Thursday)
49- Kaliachak	2nd May, 1996 (Thursday)
50- Farakka	2nd May, 1996 (Thursday)
51- Aurangabad	2nd May, 1996 (Thursday)
52- Suti	2nd May, 1996 (Thursday)
53- Sagardighi (SC)	2nd May, 1996 (Thursday)
54- Jangipur	2nd May, 1996 (Thursday)
55- Lalgola	2nd May, 1996 (Thursday)
56- Bhagabangola	2nd May, 1996 (Thursday)
57- Nabagram	2nd May, 1996 (Thursday)
58- Murshidabad	2nd May, 1996 (Thursday)
59- Jalangi	2nd May, 1996 (Thursday)
60- Domkal	2nd May, 1996 (Thursday)
61- Naoda	2nd May, 1996 (Thursday)
62- Hariharpara	2nd May, 1996 (Thursday)
63- Berhampore	2nd May, 1996 (Thursday)
64- Beldanga	2nd May, 1996 (Thursday)
65- Kandi	2nd May, 1996 (Thursday)
66- Khargram (SC)	2nd May, 1996 (Thursday)
67- Barwan	2nd May, 1996 (Thursday)
68- Bharatpur	2nd May, 1996 (Thursday)
69- Karimpur	2nd May, 1996 (Thursday)
70- Palashipara	2nd May, 1996 (Thursday)
71- Nakashipara	2nd May, 1996 (Thursday)
72- Kaliganj	2nd May, 1996 (Thursday)
73- Chapra	2nd May, 1996 (Thursday)
74- Krishnaganj (SC)	2nd May, 1996 (Thursday)
75- Krishnagar East	2nd May, 1996 (Thursday)
76- Krishnagar West	2nd May, 1996 (Thursday)
77- Nabadwip	2nd May, 1996 (Thursday)
78- Santipur	2nd May, 1996 (Thursday)
79- Hanskhali (SC)	2nd May, 1996 (Thursday)
80- Ranaghat East (SC)	2nd May, 1996 (Thursday)
81- Ranaghat West	2nd May, 1996 (Thursday)
82- Chakdaha	2nd May, 1996 (Thursday)
83- Haringhata	2nd May, 1996 (Thursday)
84- Bagdaha (SC)	2nd May, 1996 (Thursday)
85- Bongaon	2nd May, 1996 (Thursday)

No. & Name of the Constituency	Date of Poll
(1)	(2)
86- Gaighata	2nd May, 1996 (Thursday)
87- Habra	2nd May, 1996 (Thursday)
88- Ashokenagar	2nd May, 1996 (Thursday)
89- Amdanga	7th May, 1996 (Tuesday)
90- Barasat	2nd May, 1996 (Thursday)
91- Rajarhat (SC)	7th May, 1996 (Tuesday)
92- Deganga	2nd May, 1996 (Thursday)
93- Swarupnagar	7th May, 1996 (Tuesday)
94- Baduria	7th May, 1996 (Tuesday)
95- Basirhat	7th May, 1996 (Tuesday)
96- Hasnabad	7th May, 1996 (Tuesday)
97- Haroa (SC)	7th May, 1996 (Tuesday)
98- Sandeshkhali (SC)	7th May, 1996 (Tuesday)
99- Hingalganj (SC)	7th May, 1996 (Tuesday)
100- Gosaba (SC)	7th May, 1996 (Tuesday)
101- Basanti (SC)	7th May, 1996 (Tuesday)
102- Kultali (SC)	7th May, 1996 (Tuesday)
103- Joynagar	7th May, 1996 (Tuesday)
104- Baruipur	7th May, 1996 (Tuesday)
105- Canning West (SC)	7th May, 1996 (Tuesday)
106- Canning East	7th May, 1996 (Tuesday)
107- Bhangar	7th May, 1996 (Tuesday)
108- Jadavpur	7th May, 1996 (Tuesday)
109- Sonarpur (SC)	7th May, 1996 (Tuesday)
110- Bishnupur East (SC)	7th May, 1996 (Tuesday)
111- Bishnupur West	7th May, 1996 (Tuesday)
112- Behala East	7th May, 1996 (Tuesday)
113- Behala West	7th May, 1996 (Tuesday)
114- Garden Reach	7th May, 1996 (Tuesday)
115- Maheshtala	7th May, 1996 (Tuesday)
116- Budge Budge	7th May, 1996 (Tuesday)
117- Satgachia	7th May, 1996 (Tuesday)
118- Falta	7th May, 1996 (Tuesday)
119- Diamond Harbour	7th May, 1996 (Tuesday)
120- Magrahat West	7th May, 1996 (Tuesday)
121- Magrahat East (SC)	7th May, 1996 (Tuesday)
122- Mandirbazar (SC)	7th May, 1996 (Tuesday)
123- Mathurapur	7th May, 1996 (Tuesday)
124- Kulpi (SC)	7th May, 1996 (Tuesday)
125- Patharpratima	7th May, 1996 (Tuesday)
126- Kakdwip	7th May, 1996 (Tuesday)
127- Sagar	7th May, 1996 (Tuesday)
128- Bijpur	7th May, 1996 (Tuesday)
129- Naihati	7th May, 1996 (Tuesday)

No. & Name of the Constituency	Date of Poll
(1)	(2)
130- Bhatpara	7th May, 1996 (Tuesday)
131- Jagatdal	7th May, 1996 (Tuesday)
132- Noapara	7th May, 1996 (Tuesday)
133- Titagarh	7th May, 1996 (Tuesday)
134- Khardah	7th May, 1996 (Tuesday)
135- Panihati	7th May, 1996 (Tuesday)
136- Kamarhati	7th May, 1996 (Tuesday)
137- Baranagar	7th May, 1996 (Tuesday)
138- Dum Dum	7th May, 1996 (Tuesday)
139- Belgachia East	7th May, 1996 (Tuesday)
140- Cossipur	7th May, 1996 (Tuesday)
141- Shyampukur	7th May, 1996 (Tuesday)
142- Jorabagan	7th May, 1996 (Tuesday)
143- Jorasanko	7th May, 1996 (Tuesday)
144- Bara Bazar	7th May, 1996 (Tuesday)
145- Bow Bazar	7th May, 1996 (Tuesday)
146- Chowringhee	7th May, 1996 (Tuesday)
147- Kabitirtha	7th May, 1996 (Tuesday)
148- Alipore	7th May, 1996 (Tuesday)
149- Rashbehari Avenue	7th May, 1996 (Tuesday)
150- Tollygunge	7th May, 1996 (Tuesday)
151- Dhakuria	7th May, 1996 (Tuesday)
152- Ballygunge	7th May, 1996 (Tuesday)
153- Entally	7th May, 1996 (Tuesday)
154- Taltola (SC)	7th May, 1996 (Tuesday)
155- Beliaghata	7th May, 1996 (Tuesday)
156- Sealdah	7th May, 1996 (Tuesday)
157- Vidyasagar	7th May, 1996 (Tuesday)
158- Burtola	7th May, 1996 (Tuesday)
159- Manicktola	7th May, 1996 (Tuesday)
160- Belgachia West	7th May, 1996 (Tuesday)
161- Bally	7th May, 1996 (Tuesday)
162- Howrah North	7th May, 1996 (Tuesday)
163- Howrah Central	7th May, 1996 (Tuesday)
164- Howrah South	7th May, 1996 (Tuesday)
165- Shibpur	7th May, 1996 (Tuesday)
166- Domjur	7th May, 1996 (Tuesday)
167- Jagatballavpur	7th May, 1996 (Tuesday)
168- Panchla	7th May, 1996 (Tuesday)
169- Sankrail (SC)	7th May, 1996 (Tuesday)
170- Uluberia North (SC)	7th May, 1996 (Tuesday)
171- Uluberia South	7th May, 1996 (Tuesday)
172- Shyampur	7th May, 1996 (Tuesday)
173- Bagnan	7th May, 1996 (Tuesday)

No. & Name of the Constituency	Date of Poll
(1)	(2)
174- Kalyanpur	7th May, 1996 (Tuesday)
175- Amta	7th May, 1996 (Tuesday)
176- Udayanarayanpur	7th May, 1996 (Tuesday)
177- Jangipara	7th May, 1996 (Tuesday)
178- Chanditala	7th May, 1996 (Tuesday)
179- Uttarpara	7th May, 1996 (Tuesday)
180- Serampore	7th May, 1996 (Tuesday)
181- Champdani	7th May, 1996 (Tuesday)
182- Chandernagore	7th May, 1996 (Tuesday)
183- Singur	7th May, 1996 (Tuesday)
184- Haripal	7th May, 1996 (Tuesday)
185- Tarakeswar	7th May, 1996 (Tuesday)
186- Chinsurah	7th May, 1996 (Tuesday)
187- Bansberia	7th May, 1996 (Tuesday)
188- Balagarh (SC)	2nd May, 1996 (Thursday)
189- Pandua	2nd May, 1996 (Thursday)
190- Polba	7th May, 1996 (Tuesday)
191- Dhaniakhali (SC)	7th May, 1996 (Tuesday)
192- Pursurah	7th May, 1996 (Tuesday)
193- Khanakul (SC)	7th May, 1996 (Tuesday)
194- Arambagh	7th May, 1996 (Tuesday)
195- Goghat (SC)	7th May, 1996 (Tuesday)
196- Chandrakona	7th May, 1996 (Tuesday)
197- Ghatal (SC)	7th May, 1996 (Tuesday)
198- Daspur	7th May, 1996 (Tuesday)
199- Nandanpur	7th May, 1996 (Tuesday)
200- Panskura West	7th May, 1996 (Tuesday)
201- Panskura East	7th May, 1996 (Tuesday)
202- Tamluk	7th May, 1996 (Tuesday)
203- Moyna	7th May, 1996 (Tuesday)
204- Mahishadal	7th May, 1996 (Tuesday)
205- Sutahata (SC)	7th May, 1996 (Tuesday)
206- Nandigram	7th May, 1996 (Tuesday)
207- Narghat	7th May, 1996 (Tuesday)
208- Bhagabanpur	7th May, 1996 (Tuesday)
209- Khajuri (SC)	7th May, 1996 (Tuesday)
210- Contai North	7th May, 1996 (Tuesday)
211- Contai South	7th May, 1996 (Tuesday)
212- Ramnagar	7th May, 1996 (Tuesday)
213- Egra	7th May, 1996 (Tuesday)
214- Mugberia	7th May, 1996 (Tuesday)
215- Pataspur	7th May, 1996 (Tuesday)
216- Sabang	7th May, 1996 (Tuesday)
217- Pingla	7th May, 1996 (Tuesday)

No. & Name of the Constituency	Date of Poll
(1)	(2)
218- Debra	7th May, 1996 (Tuesday)
219- Keshpur (SC)	7th May, 1996 (Tuesday)
220- Garhbeta East	7th May, 1996 (Tuesday)
221- Garhbeta West (SC)	7th May, 1996 (Tuesday)
222- Salbani	7th May, 1996 (Tuesday)
223- Midnapore	7th May, 1996 (Tuesday)
224- Kharagpur Town	7th May, 1996 (Tuesday)
225- Kharagpur Rural	7th May, 1996 (Tuesday)
226- Keshiari (ST)	7th May, 1996 (Tuesday)
227- Narayangarh	7th May, 1996 (Tuesday)
228- Dantan	7th May, 1996 (Tuesday)
229- Nayagram (ST)	7th May, 1996 (Tuesday)
230- Gopiballavpur	7th May, 1996 (Tuesday)
231- Jhargram	7th May, 1996 (Tuesday)
232- Binpur (ST)	7th May, 1996 (Tuesday)
233- Banduan (ST)	7th May, 1996 (Tuesday)
234- Manbazar	7th May, 1996 (Tuesday)
235- Balrampur (ST)	7th May, 1996 (Tuesday)
236- Arsa	7th May, 1996 (Tuesday)
237- Jhalda	7th May, 1996 (Tuesday)
238- Jaipur	7th May, 1996 (Tuesday)
239- Purulia	7th May, 1996 (Tuesday)
240- Para (SC)	2nd May, 1996 (Thursday)
241- Raghunathpur (SC)	2nd May, 1996 (Thursday)
242- Kashipur (ST)	2nd May, 1996 (Thursday)
243- Hura	2nd May, 1996 (Thursday)
244- Taldangra	7th May, 1996 (Tuesday)
245- Raipur (ST)	7th May, 1996 (Tuesday)
246- Ranibandh (ST)	7th May, 1996 (Tuesday)
247- Indpur (SC)	7th May, 1996 (Tuesday)
248- Chhatna	2nd May, 1996 (Thursday)
249- Gangajalghati (SC)	2nd May, 1996 (Thursday)
250- Barjora	2nd May, 1996 (Thursday)
251- Bankura	2nd May, 1996 (Thursday)
252- Onda	2nd May, 1996 (Thursday)
253- Vishnupur	7th May, 1996 (Tuesday)
254- Kotulpur	7th May, 1996 (Tuesday)
255- Indas (SC)	7th May, 1996 (Tuesday)
256- Sonamukhi (SC)	2nd May, 1996 (Thursday)
257- Kulti	2nd May, 1996 (Thursday)
258- Barabani	2nd May, 1996 (Thursday)
259- Hirapur	2nd May, 1996 (Thursday)
260- Asansol	2nd May, 1996 (Thursday)
261- Raniganj	2nd May, 1996 (Thursday)

No. & Name of the Constituency	Date of Poll
(1)	(2)
262- Jamuria	2nd May, 1996 (Thursday)
263- Ukhra (SC)	2nd May, 1996 (Thursday)
264- Durgapur-I	2nd May, 1996 (Thursday)
265- Durgapur-II	2nd May, 1996 (Thursday)
266- Kanksa (SC)	2nd May, 1996 (Thursday)
267- Ausgram (SC)	2nd May, 1996 (Thursday)
268- Bhatar	2nd May, 1996 (Thursday)
269- Galsi	2nd May, 1996 (Thursday)
270- Burdwan North	2nd May, 1996 (Thursday)
271- Burdwan South	2nd May, 1996 (Thursday)
272- Khandaghosh (SC)	2nd May, 1996 (Thursday)
273- Raina	2nd May, 1996 (Thursday)
274- Jamalpur (SC)	2nd May, 1996 (Thursday)
275- Memari	2nd May, 1996 (Thursday)
276- Kalna	2nd May, 1996 (Thursday)
277- Nadanghat	2nd May, 1996 (Thursday)
278- Manteswar	2nd May, 1996 (Thursday)
279- Purbasthali	2nd May, 1996 (Thursday)
280- Katwa	2nd May, 1996 (Thursday)
281- Mangalkot	2nd May, 1996 (Thursday)
282- Ketugram (SC)	2nd May, 1996 (Thursday)
283- Nanur (SC)	2nd May, 1996 (Thursday)
284- Bolpur	2nd May, 1996 (Thursday)
285- Labhpur	2nd May, 1996 (Thursday)
286- Dubrajpur	2nd May, 1996 (Thursday)
287- Rajnagar (SC)	2nd May, 1996 (Thursday)
288- Suri	2nd May, 1996 (Thursday)
289- Mahammad Bazar	2nd May, 1996 (Thursday)
290- Mayureswar (SC)	2nd May, 1996 (Thursday)
291- Rampurhat	2nd May, 1996 (Thursday)
292- Hansan (SC)	2nd May, 1996 (Thursday)
293-Nalhati	2nd May, 1996 (Thursday)
294- Murarai	2nd May, 1996 (Thursday)

and: (e) the 14th May, 1996 (Tuesday) as the date before which the election shall be completed.

By Order,

(C.R. BRAHMAM)
SECRETARY
ELECTION COMMISSION OF INDIA

ELECTION COMMISSION OF INDIA
Nirvachan Sadan
Ashoka Road
New Delhi-110 001

NOTIFICATION

No. 464/WB-LA/96(2) Dated: 27th March, 1996.
7th Chaitra, 1918 (Saka)

In pursuance of the provisions of Section 56 of the Representation of the Poeple Act, 1951 (43 of 1951), the Election Commission hereby fixes the hours from 7.00 A.M. to 5.00 P.M. as the hours during which the poll shall, if necessary, be taken at the election to the Legislative Assembly of West Bengal to be held in pursuance of the Governor's notification published in the Official Gazette of the State on 27th March, 1996.

By Order,

(C.R. BRAHMAM)
SECRETARY
ELECTION COMMISSION OF INDIA

Published by the Controller of Printing & Stationery, West Bengal and Printed at DTP Press, 10 Rainey Park, Calcutta – 700 019

Registered No. WB/SC-247

The Calcutta Gazette

सत्यमेव जयते

Extraordinary

Published by Authority

CHITRA—20] TUESDAY, APRIL 9, 1996 [SAKA. 1918

PART IA—Orders and Notifications of the Government of India, Statutory Notifications of the Election Commission, India, and other Election Notifications published for general information. Orders and Notifications which have originally been published in the "Gazette of India" are only republished.

ELECTION COMMISSION OF INDIA
NOTIFICATION

No. 7170 Home (Elec)—9th April, 1996.– In pursuance of sub-rule (2) of rule 11 of the Conduct of Elections Rules, 1961, the following is published for general information :

ELECTION TO THE WEST BENGAL LEGISLATIVE ASSEMBLY, 1996

FORM 7A

LIST OF CONTESTING CANDIDATES

[*See* rule 10(1)]

1—MEKLIGANJ (SC) ASSEMBLY CONSTITUENCY

Sl. No.	Name of candidate	Address of candidate	Party Affiliation	Symbol allotted
1	2	3	4	5
1.	Adhikary Paresh	P.O. Mekliganj, P.S. Mekliganj, Dist. Cooch Behar	Forward Bloc (Socialist)	Rising Sun
2.	Anil Roy	Vill. Gangdoba (Rangapani), P.O. Haldibari, P.S. Haldibari, Dist. Cooch Behar	Bahujan Samaj Party	Elephant
3.	Abiram Roy	Vill. 105, Bagdokra, P.O. Bagdokra, P.S. Kuchlibari, Dist. Cooch Behar	Independent	Bicycle
4.	Nayan Chand Barman	Vill. Kharija Gopalpur, P.O. Joresimuli, P.S. Mathabhanga, Dist. Cooch Behar	Amara Bangalee	Bow and Arrow
5.	Ramesh Roy	Vill. Bhotebari 127, P.O. Bagdokra-Fulkadabari, P.S. Kuchlibari, Dist. Cooch Behar	All India Forward Bloc	Lion
6.	Satish Chandra Ray	Vill. 119, Andaran Kuchlibari, P.O. Kuchlibari, P.S. Kuchlibari, Dist. Cooch Behar	Bharatiya Janata Party	Lotus

1	2	3	4	5
7.	Sunil Chandra Roy	Vill. 110, Bajejama Kuchlibari, P.O. Kuchlibari, P.S. Kuchlibari, Dist. Cooch Behar	Indian National Congress	Hand

Mekliganj
6th April, 1996

Sd/-
Returning Officer

2—SITALKHUCHI (SC) ASSEMBLY CONSTITUENCY

1.	Birendra Narayan Barma	Vill. Nagarnepra, P.O. Golenowhati, Dist. Cooch Behar	I.N.C	Hand
2.	Sudha Ranjan Roy	Vill. Atiabari Nepra, P.O. Baramaricha, Dist. Cooch Behar	F.B. (S)	Coconut tree Bearing fruits
3.	Sudhir Pramanik	Vill. & P.O. Bara Godai Khora, Dist. Cooch Behar	C. P. I (M)	Hammer, Sickle and Star
4.	Subodh Barman	Vill Madhyam Madhusudan, P.O Madhyam Madhusudan, Dist Cooch Behar	Amara Bangali	Rising Sun
5.	Hem Chandra Barman	Vill. Sitalkhuchi, P.O. Sitalkhuchi, Dist. Cooch Behar	B. J. P.	Lotus

Mathabhanga
6th April, 1996

Sd/-
Returning Officer

3—MATHABHANGA (SC) ASSEMBLY CONSTITUENCY

1.	Adhikary Haripada	Mathabhanga Municipality (Word No. 10) P.O. Pachagar, Dist. Cooch Behar	F. B. (S)	Rising Sun
2.	Abinash Sinha	Mathabhanga Municipality (Ward No. 10) P.O. Pachagar, Dist. Cooch Behar	B. J. P.	Lotus
3.	Dinesh Chandra Dakua	Mathabhanga Municipality (Ward No. 5) P.O. Mathabhanga, Dist. Cooch Behar	C. P. I. (M)	Hammer, Sickle and Star
4.	Jatindra Nath Barman	Vill. Singijani, P.O. Singijani, Dist. Cooch Behar	I.N.C.	Hand
5.	Sachindra Nath Barman	Vill. Kushiarbari, P.O. Kushiarbari, Dist. Cooch Behar	Amara Bangali	Bow and Arrow

Mathabhanga
6th April, 1996

Sd/-
Returning Officer

4—COOCH BEHAR NORTH ASSEMBLY CONSTITUENCY

1.	Aparajita Goppi	Patakura, P.O. & Dist. Cooch Behar	All India Forward Bloc	Lion
2.	Nirendra Prasad Karjee	Vill. Jagna Narayaner Kuthi, P.O. Pundibari, Dist. Cooch Behar	Amara Bangalee	Coconut Tree Bearing Fruits
3.	Papiya Barman	West Khagrabari Road, Bye Lane-2, P.O. & Dist. Cooch Behar	Bahujan Samaj Party	Elephant
4.	Badal Roy	South of I.T.I P.O. & Dist. Cooch Behar	Independent	Two Leaves
5.	Bimal Kanti Basu	58, Hitendra Narayan Road, P.O. & Dist. Cooch Behar	F. B. (Socialist)	Rising Sun
6.	Mihir Goswami	Biswa Singha Road, South of Bairagi Dighi, P.O. & Dist. Cooch Behar	Indian National Congress	Hand
7.	Subhas Chakraborty	Vill. & P.O. Fulbari, Via Dhupguri, Dist. Cooch Behar	Independent	Aeroplane

1	2	3	4	5
8.	Haripada Paul	Devibari Nutan Palli, P.O. & Dist. Cooch Behar	Bharatiya Janata Party	Lotus

Cooch Behar
6th April, 1996

Sd/-
Returning Officer

5—COOCH BEHAR WEST ASSEMBLY CONSTITUENCY

1.	Ashoke Das	Vill. & P.O. Khapaidanga, Dist. Cooch Behar	Independent	Two Leaves
2.	Ahammed Abdul Jalil	Nilkuthi Railghumti, P.O. & Dist. Cooch Behar	Indian National Congress	Hand
3.	Nripen Karjee	Vill. Balagram, P.O. Patpishu, Dist. Cooch Behar	Independent	Bicycle
4.	Manik Chandra Das	Vill. Haradeb Chhedarjhar, P.O. Hatiram Shalbari, Dist. Cooch Behar	Forward Bloc (Socialist)	Rising Sun
5.	Shyam Charan Sarkar	Shibjagna Road, Subhas Pally, P.O. & Dist. Cooch Behar	Bharatiya Janata Party	Lotus
6.	Sounindra Chandra Das	Kharimala Khagrabari North of Subhas Colony, P.O. & Dist. Cooch Behar	All India Forward Bloc	Lion
7.	Haribala Roy	Keshab Road, P.O. & Dist. Cooch Behar	Amara Bangalee	Coconut Tree Bearing fruits

Cooch Behar
6th April, 1996

Sd/-
Returning Officer

6—SITAI ASSEMBLY CONSTITUENCY

1.	Asok Mandal	Godhuli Bazar Ward No. 5, P.O. Dinhata, Dist. Cooch Behar	Indian National Congress	Hand
2.	Chouhitra Roy Sarkar	Kharija Baladanga (Middle), Bhetaguri-1, Dist. Cooch Behar	Independent	Lock and Key
3.	Dinesh Ray	Vill. Dwariya, P.O. Masanpat, P.S. Dinhata, Dist. Cooch Behar	Bahujan Samaj Party	Elephant
4.	Nripendra Nath Roy	Forward Bloc Office, P.O. Sitaihat, Via. Dinhata, Dist. Cooch Behar	All India Forward Bloc	Lion
5.	Pranabendra Nath Chakrobarty	Vill. Satimari, P.O. Panikhawa, Dist. Cooch Behar	Bharatiya Janata Party	Lotus
6.	Dr. Md. Fazle Haque	Chowrahat Ward No. 9, Dinhata, Cooch Behar	Independent	Rising Sun

Dinhata
6th April, 1996

Sd/-
Returning Officer

7—DINHATA ASSEMBLY CONSTITUENCY

1.	Kamal Guha	Babupara, Ward No. 1, Dinhata, Cooch Behar	Forward Bloc (Socialist)	Rising Sun
2.	Kamal Dey Sarkar	Saulmari, P.O. Nazirhat, Dist. Cooch Behar	Indian National Congress	Hand
3.	Md. Jamser Byapari	Saulmari, P.O. Nazirhat, Dist. Cooch Behar	Independent	Aeroplane
4.	Dipak Sen Gupta	Sahid Corner, Dinhata, Cooch Behar	All India Forward Bloc.	Lion

1	2	3	4	5
5.	Jogesh Chandra Ray	Khochabari, Dinhata, Cooch Behar	Bharatiya Janata Party	Lotus

Dinhata
6th April, 1996

Sd/-
Returning Officer

8—NATABARI ASSEMBLY CONSTITUENCY

1.	Achhar Uddin Ahmed	Vill. Deocharai, P.O. Deocharai, Dist. Cooch Behar	Independent	Bicyle
2.	Abdul Rahaman	Vill. Dhaluabari, P.O. Ghughumari, Dist. Cooch Behar	Forward Bloc (Socialist)	Rising Sun
3.	Dalendra Roy	Vill. East Barachowki, P.O. Chhat Barachowki, Dist. Jalpaiguri	Amara Bangalee	Two Leaves
4.	Narayan Chandra Das	Vill. Chilakhana, P.O. Chilakhana, Dist. Cooch Behar	Bahujan Samaj Party	Elephant
5.	Rabindra Nath Ghosh	Vill. Dawaguri, P.O. Dawaguri, Dist. Cooch Behar	Indian National Congress	Hand
6.	Rabindra Nath Barman	Tufanganj Municipality, Ward No. 8, Thanapara, P.O. Tufanganj, Dist. Cooch Behar	Bharatiya Janata Party	Lotus
7.	Sibendra Narayan Chowdhury	Vill. Khagrabari, P.O. Cooch Behar, Dist. Cooch Behar	Communist Party of India (Marxist)	Hammer, Sickle and Star

Tufanganj
6th April, 1996

Sd/-
Returning Officer

9—TUFANGANJ (SC) ASSEMBLY CONSTITUENCY

1.	Puspa Chandra Das	Vill. Bhanukumari, P.O. Bakshirhat, Dist. Cooch Behar	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Manindra Nath Mandal	Gandhipara, Tufanganj, P.O. Tufanganj Dist. Cooch Behar	Independent	Rising Sun
3.	Maheshwar Gayen	Vill. Salbari, P.O. Nagururhat Dist. Cooch Behar	Samajwadi Jana Parishad	Two Leaves
4.	Sachindra Chandra Das	Vill. Dhalpal, P.O. Dhalpal Dist. Cooch Behar	Indian National Congress	Hand
5.	Sachindra Nath Barma	Vill. Salbari, P.O. Salbari Dist. Cooch Behar	Bahujan Samaj Party	Elephant
6.	Surendra Narayan Roy Kungar	Vill. Salbari, P.O. Salbari Dist. Cooch Behar	Bharatiya Janata Party	Lotus

Tufanganj
6th April, 1996

Sd/-
Returning Officer

10—KUMARGRAM (ST) ASSEMBLY CONSTITUENCY

1.	Ekka Samarendra	Kumargram T.E., P.O. Newlands, Dist. Jalpaiguri	Independent	Drum
2.	Krishna Chik Baraik	Newlands T.G., P.O. Newlands, Dist. Jalpaiguri	INC	Hand
3.	Jarj Besra	Nimtijhora T.E., P.O. Kalchini, Dist. Jalpaiguri	Independent	Bow and Arrow

1	2	3	4	5
4.	Jharia Oraon	Vill. Dakshin Chengmari, P.O. Hemaguri, Dist. Jalpaiguri	Independent	Coconut tree Bearing Fruits
5.	Landha Oraon	Vill. Balguri, P.O. Kumargramduar, Dist. Jalpaiguri	B J P	Lotus
6.	Salib Toppo	Vill. Pukhurigram, P.O. Kumargram, Dist. Jalpaiguri	R S P	Spade and Stoker
7.	Silbanus Lakra	Vill. Dhowlajhora, P.O. Turturi, Dist. Jalpaiguri	Samajwadi Janaparisad	Two Leaves

Alipurduar
6th April, 1996

Sd/-
Returning Officer

11—KALCHINI (ST) ASSEMBLY CONSTITUENCY

1.	Emmanuel Melmon Kujur	Vill. Kodal Basti, P.O. Paschim Satali, Dist. Jalpaiguri	Independent	Axe
2.	Khudiram Pahan	Vill.+P.O. Hamiltonganj, P.S. Kalchini, Dist. Jalpaiguri	I N C	Hand
3.	Tetari Oraon	Vill. Kalchini T.G. P.O.+P.S. Kalchini, Dist. Jalpaiguri	Independent	Bow and Arrow
4.	Bandhain Urao	Vill. Kalchini T.E. P.O.+P.S. Kalchini, Dist. Jalpaiguri	Independent	Drum
5.	Mandhar Tirkey	Satali T.E. P.O Hasimara, Dist. Jalpaiguri	R S P	Spade and Stoker
6.	Rabindra Kumar Brahma	Vill. Mechia Basti, P.O. Jaygaon. Dist. Jalpaiguri	B J P	Lotus
7.	Lalman Lama	Vill.+P.O. Dalsingpara Dist. Jalpaiguri	Independent	Two Leaves

Alipurduar
6th April, 1996

Sd/-
Returning Officer

12—ALIPURDUAR ASSEMBLY CONSTITUENCY

1.	Ganesh Sikder	West Jitpur, P.O. Bholardabri, Dist. Jalpaiguri	Bharatiya Janata Party	Lotus
2.	Nikhil Chandra Raybir	Vill/P.O. Bhatibari, Dist. Jalpaiguri	Independent	Two Leaves
3.	Nirmal Das	Newtown, P.O. Alipurduar, Dist. Jalpaiguri	Revolutionary Socialist Party	Spade and Stoker
4.	Probhat Adhikary	Purba Santinagar, P.O. Alipurduar, Dist. Jalpaiguri	Amara Bangalee	Rising Sun
5.	Manindralal Rakshit	Netaji Road, P.O. Alipurduar, Dist. Jalpaiguri	Indian National Congress	Hand
6.	Santu Karmakar	Kalchini Tea Esate, P.O Kalchini, Dist. Jalpaiguri	Independent	Bow and Arrow

Alipurduar
6th April, 1996

Sd/-
Returning Officer

13—FALAKATA (SC) ASSEMBLY CONSTITUENCY

1.	Gajendra Nath Barman	Udayan Bitan Surja Nagar, P.O. Alipurduar Court, Dist. Jalpaiguri	Indian National Congress	Hand
2.	Naresh Chandra Barman	Vill./P.O. Dalimpur, Dist. Jalpaiguri	Amra Bangalee	Rising Sun

1	2	3	4	5
3.	Jogesh Chandra Barman	Vill/P.O. Bhutanirghat, Dist. Jalpaiguri	Communist Party of India (Marxist)	Hammer, Sickle and Star
4.	Rajen Adhikari	Vill. Uttar Sonapur, P.O. Panchkalguri, Dist. Jalpaiguri	Bharatiya Janata Party	Lotus

Alipurduar
6th April, 1996

Sd/-
Returning Officer

14—MADARIHAT (ST) ASSEMBLY CONSTITUENCY

1.	Gopal Uroco	Hantapara Tea Garden, P.O. Madarihat, Dist. Jalpaiguri	Independent	Bicycle
2.	Padma Ghising	Vill. Hantapara, P.O. Madarihat, Dist. Jalpaiguri	B. J. P.	Lotus
3.	Pushpa Rani Lily Kindo	Vill. & P.O. Birpara, Dist. Jalpaiguri	I. N. C.	Hand
4.	Bilkan Bara	Vill. & P.O. Narsingpur, Dist. Jalpaiguri	Independent	Two Leaves
5.	Joseph Xalxo	Bandapani Tea Garden, P.O. Birpara, Dist. Jalpaiguri	Independent	Bow and Arrow
6.	Sushil Kujur	Hantapara Tea Estate, P.O. Ramjhora, Dist. Jalpaiguri	R. S. P.	Spade and Stoker.

Alipurduar
6th April, 1996

Sd/-
Returning Officer

15—DHUPGURI (SC) ASSEMBLY CONSTITUENCY

1.	Annadamohan Roy	Vill. Paschim Salbari, P.O. Salbari, Dist. Jalpaiguri	Independent	Bow and Arrow
2.	Khokaram Roy Pramanik	Vill. Mallik Shobha, P.O. Gosair Hat, Dist. Jalpaiguri	Independent	Ladder
3.	Gobinda Roy	Seshbati, Pandapara, P.O. + Dist. Jalpaiguri	Forward Bloc (Socialist)	Rising Sun
4.	Jagadananda Roy	Vill. + P.O. Dhupguri, Dist. Jalpaiguri	Independent	Two Leaves
5.	Nripendra Nath Roy	Vill + P.O. Salbari, Dist. Jalpaiguri	Indian National Congress	Hand
6.	Banamali Roy	Vill. Kajipara, P.O. Kathapara, Dist. Jalpaiguri	Communist Party of India (Marxist)	Hammer, Sickle and star
7.	Bishnu Pada Roy	Vill. Maynatali, P.O. West Mallik Para, Dist. Jalpaiguri	Bhartiya Janata Party	Lotus
8.	Raicharan Siddhya	Subhas palli, P.O. Bairapguri, Dist. Jalpaiguri	Independent	Aeroplane
9.	Haripada Majumder	Vill, Kurshamari. P.O. Paschim Mallikpara, Dist. Jalpaiguri	Independent	Almirah.

Jalpaiguri
6th April, 1996

Sd/-
Returning Officer

16—NAGRAKATA (ST) ASSEMBLY CONSTITUENCY

1.	Chaitan Munda	Debpara T.E., P.O. Banarhat, Dist. Jalpaiguri	Communist Party of India (Marxist)	Hammer, Sickle and Star.
2.	Dasarath Oraon	Kathalguri Tea Estate, P.O. Kathalguri T.E., Dist. Jalpaiguri	Independent	Two Leaves

1	2	3	4	5
3.	Basant Oraon	Huldibari T.E., P.O. Binnaguri, Dist. Jalpaiguri	Independent	Bow and Arrow
4.	Badam Santhal	Banarhat T.E., P.O. Banarhat, Dist. Jalpaiguri	Bharatiya Janata Party	Lotus
5.	Victor Lakra	Huldibari Tea Estate, P.O. Binnaguri, Dist. Jalpaiguri	Indian National Congress	Hand

Jalpaiguri
6th April, 1996

Sd/-
Returning Officer

17—Mainaguri (SC) ASSEMBLY CONSTITUENCY

1.	Gobinda Roy	Vill. Pandapara Sheshbati, Pandapara, P.O.+Dist. Jalpaiguri	Forward Bloc (Socialist)	Cocoanut Tree bearing Fruits
2.	Chakradhar Roy	Vill. Gartali, Jalpesh, P.O. Jalpesh Mandir, Dist Jalpaiguri	Independent	Ladder
3.	Narendra Nath Barman	Vill. & P.O. Dakshin Moumari, Dist. Jalpaiguri	Independent	Aeroplane
4.	Narayan Chandra Roy	Vill. Sishubari, P.O. Barnesh Junction, Dist. Jalpaiguri	Bharatiya Janata Party	Lotus
5.	Bachchamohan Ray	Vill. Amguri, P.O. Amguri Bazar, Dist. Jalpaiguri	Revolutionary Socialist Party	Spade and Stoker
6.	Madhu Sudan Roy	Vill. Ratherhat, P.O. Bhangarhat, Dist. Jalpaiguri	Independent	Two Leaves
7.	Manmatha Roy Basunia	Vill. Jalpesh More, (Matirkella Nutanpara) P.O. Madhabdanga. Dist. Jalpaiguri	Indian National Congress	Hand
8.	Sanat Chandra Roy	Vill. Dakshin Dangapara, P.O. Dakshin Dangapara Asram, Via. Bhotpatti, Dist. Jalpaiguri	Amara Bangalee	Rising Sun
9.	Suresh Chandra Roy	Vill. Bhangarhat, P.O. Bhangamali, Dist. Jalpaiguri	Independent	Bicycle

Jalpaiguri
6th April, 1996

Sd/-
Returning Officer

18—MAL (ST) ASSEMBLY CONSTITUENCY

1.	Jagannath Oraon	Raja Tea Garden, P.O. Mal, Dist. Jalpaiguri	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Turi Kde Munda	Zuranti Tea Garden (Kona Line), P.O. Matelli, Dist. Jalpaiguri	Indian National Congress	Hand
3.	Phanindra Lal Mutsuddy	Mal Caltax More, P.O. Mal, Dist. Jalpaiguri	Bharatiya Janata Party	Lotus
4.	Mahabir Orao	Hakim Para Line Gurjang Jhora Tea Estate, P.O. Mal, Dist. Jalpaiguri	Independent	Bow and Arrow

Jalpaiguri
6th April, 1996

Sd/-
Returning Officer

19—KRANTI ASSEMBLY CONSTITUENCY

1.	Kamalendu Deb Sharma	Vill. Uttar Sari-Pakuri (Laskarpara), P.O. Khairanti, Dist. Jalpaiguri	Bharatiya Janata Party	Lotus

1	2	3	4	5
2.	Chandrasekhar Choudhuri	Vill. Maynamapara, P.O. Mainaguri, Dist. Jalpaiguri	Independent	Two Leaves
3.	Ramani Mohan Roy	Vill. Uttarjharmatiali, P.O. Lataguri. Dist. Jalpaiguri	Independent	Rising Sun
4.	Sudhan Raha	Vill. Hanskhali, P.O. Kathambari, Dist. Jalpaiguri	Communist Party of India (Marxist)	Hammer, Sickle and Star
5.	Subrata Urao	Batguri Tea Estate (Namji Line), P.O. Baradighi, Dist. Jalpaiguri	Independent	Bow and Arrow
6.	Subhas Das	New Circular Road and New Town (Part), P.O. Jalpaiguri, Dist. Jalpaiguri	Indian National Congress	Hand

Jalpaiguri
6th April, 1996

Sd/-
Returning Officer

20—JALPAIGURI ASSEMBLY CONSTITUENCY

1.	Anupam Sen	Silpasamitipara, P.O. & Dist. Jalpaiguri	Indian National Congress	Hand
2.	Amit Moitra	Babupara, P.O. & Dist. Jalpaiguri	Independent	Aereoplane
3.	Kshitish Chandra Mandal	Vill. & P.O. Boalmari, Dist. Jalpaiguri	Bahujan Samaj Party	Elephant
4.	Tirtha Deb Roy	Vill. Lahiriapara, P.O. Satkhamar, Dist. Jalpaiguri	Independent	Two leaves
5.	Mukulesh Chandra Sanyal	Station Road, P.O. & Dist. Jalpaiguri	Forward Bloc (Socialist)	Rising Sun
6.	Rabindra Narayan Choudhury (Naru Choudhury)	Bairagipara, P.O. Mohitnagar, Dist. Jalpaiguri	Bharatiya Janata Party	Lotus
7.	Sankar Das	Nayabasti, P.O. & Dist. Jalpaiguri	Communist Party of India (ML) (Liberation)	Ladder
8.	Sudhansu Majumder	Vill. & P.O. Manikganj, Dist. Jalpaiguri	All India Forward Bloc	Lion
9.	Subrata Datta Gupta	North Babupara, P.O. & Dist. Jalpaiguri	Independent	Bicycle

Jalpaiguri
6th April, 1996

Sd/-
Returning Officer

21—RAJGANJ (SC) ASSEMBLY CONSTITUENCY

1.	Ajit Kumar Ray	Vill. Sahapara, P.O. Rajganj, Dist. Jalpaiguri	Indian National Congress	Hand
2.	Kali Charan Roy	Vill. Kalinagar, P.O. Rajganj, Dist. Jalpaiguri	Independent	Bicycle
3.	Kshitish Saha	Vill. Sahapara, P.O. Rajganj, Dist. Jalpaiguri	Forward Bloc (Socialist)	Cocoanut Tree bearing fruits
4.	Kshudiram Barman	Vill. Sahadebvita (Talma Colony), P.O. Debithakur Bari, Dist. Jalpaiguri	Independent	Ladder
5.	Jatindra Nath Roy	Vill. Khalaker Bari, P.O. Prasanna Nagar, Dist. Jalpaiguri	Communist Party of India (Marxist)	Hammer, Sickle and Star
6.	Jogendra Nath Roy	Vill. Shimulguri, P.O. Kundardighi, Dist. Jalpaiguri	Bharatiya Janata Party	Lotus

1	2	3	4	5
7.	Santi Kumar Sarkar	Vill. & P.O. Ulladabri, Dist. Jalpaiguri	Bahujan Samaj Party	Elephant
8.	Harendra Nath Ray	Vill. Sahadai Para, P.O. Manuaganj, Dist. Jalpaiguri	Amra Bangali	Rising Sun

Jalpaiguri
6th April, 1996

Sd/-
Returning Officer

22—KALIMPONG ASSEMBLY CONSTITUENCY

1.	Ashok Rai	Sanjay Saw Mill, Rishi Road, Kalimpong	Independent	Lock & Key
2.	Garjemun Singh Cintury	Rani Ban, Upper Cara Road, Kalimpong	Independent	Hurricane Lamp
3.	Goulan Lapuha	6th Mile, Tanak Buety, BPO Tashiding, Kalimpong	GNLF	Rising Sun
4.	Nordan Lama	10th Mile Lower Gumba Hatta, Kalimpong	ABGL	Two leaves
5.	Pasang Sada	Kangelong, Gairigoan, BPO Seokbir	Independent	Ladder
6.	Puran Lohar	Teesta Bazar, P.O. Teesta Bridge, Kalimpong	BJP	Lotus
7.	Benoy Khati	8th Mile, P.O. Kalimpong	Independent	Bow & Arrow
8.	N. T. Moktan	16th Mile, Pagang Gumba, P.O. Kalimpong	Independent	Boat
9.	Mohan Singh Rai (Mohan Duknun)	Tripai Road, Gumba Hatta, Kalimpong	CPI	Ears of Corn and Sickle
10.	Leslie John Chater	Shantinagar, 10th½ Mile, P.O. Topkhana, Kalimpong	Independent	Spectacles
11.	Suren Khali	Printem Road, P.O. Kalimpong	Independent	Ship

Kalimpong
6th April, 1996

Sd/-
Returning Officer

23—DARJEELING ASSEMBLY CONSTITUENCY

1.	Ahmed Mansur	Umarao Building, Dr. Zakir Hussain Busty, Darjeeling	Muslim League	Ladder
2.	Kamala Sankrityayana	Rahul Niwas, 21, Kutchery Road, P.O. & Dist. Darjeeling	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Nar Bahadur Chettri	Mangpoo, P.O. Mangpoo, P.S. Rangli Rangliot, Darjeeling	Gorkha National Liberation Front	Boat
4.	Pramod Tamang	Mary Villa, Happy Home, Darjeeling	Independent	Axe
5.	Prahlad Prasad Gupta	C/o Gopal Prasad Gupta, Municipal Building 'N', Chowk Bazar, Darjeeling	Bharatiya Janata Party	Lotus
6.	Bhutia Pema Tshering Lama	15, Collinton Road, Darjeeling	Independent	Drum
7.	Madan Kumar Rai (Bantawa)	Mahabir Building Ladenla Road, Darjeeling	Akhil Bharatiya Gorkha League	Two leaves
8.	Raja Rai	Nehur Balasun Tea Garden, P.O. Sonada, Darjeeling	All India Indira Congress [illegible] (Tiwari)	Lady offering flowers

Darjeeling
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		24—KURSEONG ASSEMBLY CONSTITUENCY		
1.	Tulshi Bhattarai	Bagajatin Colony, P.O. Pradhan Nagar, Dist. Darjeeling	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Parbati Pradhan (Paru Rai)	Bloomfield, Goenka Retreat, Below H. C. Road, Darjeeling	A.I.I.C.(T). (Tiwari)	Lady offering flower
3.	Manoj Dewan	Diyali Cottage Naya Bazar, P.O. Kurseong, Darjeeling	Akhil Bharatiya Gorkha League	Two Leaves
4.	Shanta Chhettri	16A, Dowhill Road, Kurseong, Dist. Darjeeling	Gorkha National Liberation Front	Boat
Darjeeling 6th April, 1996			*Sd/-* Returning Officer	
		25—SILIGURI ASSEMBLY CONSTITUENCY		
1.	Amar Bahadur Thapa	Limbudhura Tingling Tea Estate, P.O. Phuguri, P.S. Mirik, Dist. Darjeeling	Independent	Boat
2.	Arun Prasad Sarker (Advocate)	Baghajatin Park, P.O. Siliguri, Dist. Darjeeling	B.S.P.	Elephant
3.	Asok Bhattacharya	'Rudreshwar Bhawan' Subhaspally, Siliguri, Dist. Darjeeling	C.P.I (M)	Hammer, Sickle and Star
4.	Dasarath Karmakar	Netaji Nagar, Champasari, P.S. Matigara, Dist. Darjeeling	Independent	Axe
5.	Bishwambhar Dalmia	Agrasen Road, Siliguri-734405, Dist. Darjeeling	Independent	Chair
6.	Birendranath Roy	College Para, P.O. Kadamtala, P.S. Matigara, Dist. Darjeeling	Independent	Bow and Arrow
7.	Man Singh Rai	Burbanchal, Pradhannagar, Siliguri-734403, Dist. Darjeeling	Independent	Two Leaves
8.	Dr. M. B. Mukherjee	Sisir Bhaduri Lane (Rajani Bagan), Hill Cart Road, Siliguri, Dist. Darjeeling	B.J.P.	Lotus
9.	Sankar Malakar	South Babupara, Siliguri-734404, Dist. Darjeeling	I.N.C.	Hand
Siliguri 6th April, 1996			*Sd/-* Returning Officer	
		26—PHANSIDEWA (ST) ASSEMBLY CONSTITUENCY		
1.	Ekka Samarendra (Pintu)	36, Nabin Sen Road, P.O. Siliguri, Dist. Darjeeling	Independent	Two Leaves
2.	Chhabilal Minj	West Danagach, P.O. Tarbandha, Dist. Darjeeling	I.N.C.	Hand
3.	Prokash Minj	Thanjhora Tea Garden, P.O. Thanjhora Bagan, Dist. Darjeeling	C.P.I. (M)	Hammer, Sickle and Star
4.	Ratan Kumar Hansda	Bhajanpur, P.S. Kharibari, Dist. Darjeeling	B.J.P.	Lotus
5.	Radha Munda	Fulbari Tea Estate, P.O. Naxalbari, P.S. Kharibari, Dist. Darjeeling	B.S.P.	Elephant
6.	Ramganesh Chik Baraik	Azmabad Tea Estate, P.O. Naxalbari, Dist. Darjeeling	Independent	Bow and Arrow
7.	Rengta Murmu (Lalu)	Brittan Jote, P.O. Kharibari, Dist. Darjeeling	C.P.I. (ML) (Liberation)	Ladder
Siliguri 6th April, 1996			*Sd/-* Returning Officer	

1	2	3	4	5
		27—CHOPRA ASSEMBLY CONSTITUENCY		
1.	Almohan Singha	Vill. Lalitgachh, P.O. Daspara, Dist. U/Dinajpur	Independent	Rising Sun
2.	Prasanta Datta	Vill. Dasparahat, P.O. Daspara, Dist. U/Dinajpur	Bharatiya Janata Party	Lotus
3.	Mansur Alam	Vill. Katgaon, P.O. Dighabanahat, Dist. U/Dinajpur	Independent	Bow & Arrow
4.	Mahamuddin	Vill. Piajpokhar, P.O. Khunia, Dist. U/Dinajpur	Communist Party of India (Marxist)	Hammer, Sickle and Star
5.	Mohammad Faruq Azam	Vill. Khalpara, P.O. Bhoishpita, Dist. U/Dinajpur	Independent	Axe
6.	Hamidul Rahaman	Vill. Kathalbari, P.O. Dighabanahat, Dist. U/Dinajpur	Indian National Congress	Hand

Islampur
6th April, 1996

Sd/-
Returning Officer

		28—ISLAMPUR ASSEMBLY CONSTITUENCY		
1.	Avijit Dey	Housing Estate, P.O. Islampur, Dist. Uttar Dinajpur	Independent	Coconut Tree bearing fruits
2.	Chowdhary Abdul Karim	Uttar Islampur Basti, P.O. Islampur, Dist. Uttar Dinajpur	Indian National Congress	Hand
3.	Nityananda Mondal	Collegepara, P.O. State Farm Colony, Dist. Uttar Dinajpur	B.S.P.	Elephant
4.	Nil Kamal Mallik	Milanpally, P.O. Islampur, Dist. Uttar Dinajpur	Independent	Bicycle
5.	Md. Afjal Hussain	Panditpota, P.O. Dimrulla, Dist. Uttar Dinajpur	Independent	Two Leaves
6.	Md. Faruque Azam	Gunjaria Bazar, P.O. Gunjaria Bazar, Dist. Uttar Dinajpur	C.P.I. (M)	Hammer, Sickle and Star
7.	Ranjan Haldar	Power House Para (Thana Colony), P.O. Islampur, Dist. Uttar Dinajpur	Bharatia Janata Party	Lotus
8.	Sharma Subal	Khudirampally, P.O. Islampur, Dist. Uttar Dinajpur	C.P.I. (ML) (Libration)	Bow & Arrow
9.	Soibur Rahman	Pantapara, P.O. Pokhoria, Dist. Uttar Dinajpur	Muslim League	Ladder

Islampur
6th April, 1996

Sd/-
Returning Officer

		29—GOALPOKHAR ASSEMBLY CONSTITUENCY		
1.	Pooranmal Maheshwari	Dharampur, P.O. Gendabari, Dist. Uttar Dinajpur	Bharatiya Janata Party	Lotus
2.	Md. Sahabuddin Ashraf	Chowkai, P.O. Golia, Dist. Uttar Dinajpur	C.P.I. (M-L) (Liberation)	Bow & Arrow
3.	Md. Mustafa	Matiyari, P.O. Kanki, Dist. Uttar Dinajpur	Indian National Congress	Hand
4.	Shamsuddin	Jharbari-Malingoan, P.O. Goharrah, Dist. Uttar Dinajpur	Muslim League	Ladder
5.	Hafiz Alam Sairani	Chakulia, P.O. Chakulia, Dist. Uttar Dinajpur	All India Forward Bloc	Lion

Islampur
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		30 - KARANDIGHI ASSEMBLY CONSTITUENCY		
1.	Anup Kumar Bhagat	Vill. Subhaspally, P.O. Dalkhola, Dist. U/Dinajpur	Bharatiya Janata Party	Lotus
2.	Kukil Singha	Vill. Sargaon, P.O. Kamartore, Dist. U/Dinajpur	Independent	Hurrican Lamp
3.	Guha Kamal	Vill. Tungidighi, P.O. Tungidighi, Dist. U/Dinajpur	Shib Sena	Bow & Arrow
4.	Dinesh Chandra Sinha	Vill. Kashidangi, P.O. Duarin, Dist. U/Dinajpur	Independent	Two Leaves
5.	Naba Kumar Singha	Vill. Duarin, P.O. Duarin, Dist. U/Dinajpur	Independent	Rising Sun
6.	Faruque Adil	Vill. Murhel, P.O. Madargachhi, Dist. U/Dinajpur	Muslim League	Ladder
7.	Muktar Ahamed	Vill. Paschim Fatepur, P.O. Magnavita, Dist. U/Dinajpur	Independent	Bicycle
8.	Suresh Chandra Singha	Vill. Kadamtola, P.O. Karandighi, Dist. U/Dinajpur	All India Forward Bloc	Lion
9.	Haji Sajjad Hussain	Vill. Bhusamani, P.O. Dalkhola, Dist. U/Dinajpur	Indian National Congress	Hand

Islampur
6th April, 1996

Sd/-
Returning Officer

		31—RAIGANJ (S.C.) ASSEMBLY CONSTITUENCY		
1.	Ajit Das	Vil. Rabindrapally Ward No.20, P.O. & P.S. Raiganj, Dist. Uttar Dinajpur	C.P.I. (M.L.) Liberation	Ladder
2.	Khagendra Nath Sinha	Vill. Malibari, P.O. Bhatolehat, P.S. Raiganj, Dist. Uttar Dinajpur.	Communist Party of India (Marxist)	Hammer Sickle & Star
3.	Girija Mohan Roy	Vill. & P.O. Debinagar, P.S. Raiganj, Dist. Uttar Dinajpur	Bahujan Samaj Party	Elephant
4.	Dilip Kumar Das	Vill. Ramendrapally, P.O. & P.S. Raiganj, Dist. Uttar Dinajpur	Indian National Congress	Hand
5.	Malin Barman	Vill. & P.O. Hatia, P.S. Raiganj, Dist. Uttar Dinajpur	Independent	Two Leaves
6.	Ladhu Barman	Vill. Serpur P.O. Khoksa, P.S. Raiganj, Dist. Uttar Dinajpur	Amra Bangalee	Rising Sun
7.	Saha Madan	Vill. Indira Colony, P.O. & P.S. Raiganj, Dist. Uttar Dinajpur	Independent	Bow & Arrow
8.	Suresh Chandra Das	Vill. Hatmoni, P.O. Bahin, P.S. Raiganj, Dist. Uttar Dinajpur	Bharatiya Janata Party	Lotus

Karnajora, Raiganj
6th April, 1996

Sd/-
Returning Officer

		32—KALIAGANJ (S.C.) ASSEMBLY CONSTITUENCY		
1.	Gourhari Barman	Vill. Ratibati, P.O. Krishnabati, P.S. Hemtabad, Dist. U/Dinajpur	Amra Bangali (Regd.)	Rising Sun
2.	Jiten Chouhan	Vill. Dherai, P.O. Hemtabad. P.S. Hemtabad, Dist. U/Dinajpur	C.P.I. (M.L.) Liberation	Ladder

1	2	3	4	5
3.	Panchu Deb Sarma	Vill. Uttar Sibpur, P.O. Baghan, P.S. Kaliaganj, Dist. U/Dinajpur	Independent	Two Leaves
4.	Pramatha Nath Roy	Vill. Schoolpara, P.O. Kaliaganj, P.S. Kaliaganj, Dist. U/Dinajpur	Indian National Congress	Hand
5.	Bishnu Pada Barman	Vill. Bharatpur, P.O. Bharatpur, Dist. U/Dinajpur	Independent	Bow and Arrow
6.	Ramani Kanta Debsarma	Vill. Paschim Rampur, P.O. Tarangapur, P.S. Kaliaganj, Dist. U/Dinajpur	Communist Party of India (Marxist)	Hammer, Sickle & Star
7.	Ramendra Roy (Uday)	Vill. Karnajora Kalibari, P.O. Karnajora, P.S. Raiganj, Dist. U/Dinajpur	Bharatiya Janata Party	Lotus

Karnajora
6th April, 1996

Sd/-
Returning Officer

33--KUSHMANDI (S.C.) ASSEMBLY CONSTITUENCY

1.	Atul Barman	Vill. & P.O. Raghunathpur, P.S. Kaliaganj, Dist. Uttar Dinajpur	Independent	Two Leaves
2.	Abinash Chandra Sarkar	Vill. Lohaganj, P.O. Katabari, Dist. Dakshin Dinajpur	Bharatiya Janata Party	Lotus
3.	Krishna Chandra Sarkar	Vill. & P.O. Parameswarpur, Dist. Dakshin Dinajpur	Indian National Congress	Hand
4.	Jiten Roy Sinha	Vill. Joydevpur, P.O. Puria, P.S. Kaliaganj, Dist. Uttar Dinajpur	Independent	Rising Sun
5.	Braja Mohan Roy	Vill. Baikunthapur, P.O. Faridpur, Dist. Uttar Dinajpur	Independent	Bow and Arrow
6.	Bhupendra Nath Barman	Vill. & P.O. Tarangapur, Dist. Dakshin Dinajpur	Independent	Boat
7.	Roy Narmada Chandra	Vill. Achrail, P.O. Chousha, Dist. Dakshin Dinajpur	Revolutionary Socialist Party	Spade and Stoker

Buniadpur
6th April, 1996

Sd/-
Returning Officer

34--ITAHAR ASSEMBLY CONSTITUENCY

1.	Acharjee Saktipada	Vill. & P.O. Chavot, P.S. Itahar, Dist. Uttar Dinajpur	B.J.P.	Lotus
2.	Abedin Dr. Zainal	Vill. Simuldanga, P.O. Danogram, P.S. Itahar, Dist. Uttar Dinajpur	I.N.C.	Hand
3.	Ahammed Ayenuddin	Vill. Chandanpur, P.O. Churaman, P.S. Itahar, Dist. Uttar Dinajpur	Independent	Jug
4.	Ghosh Shyamnarayan	Vill. Khanjapur, P.O. Barogram, P.S. Harirampur, Dist. Dakshin Dinajpur	Amra Bangalee	Rising Sun
5.	Mansur Ali	Vill & P.O. Chavot, P.S. Itahar, Dist. Uttar Dinajpur	Independent	Axe
6.	Mostafa Molla	Vill. Borot, P.O. Marnai, P.S. Itahar, Dist. Uttar Dinajpur	C.P.I. (M.L.) Liberation	Ladder
7.	Srikumar Mukherjee	C/O Prof. Swapna Mukherjee, Collegepara, P.O. & P.S. Raiganj, Dist. Uttar Dinajpur	C.P.I.	Ears of Corn and Sickle

1	2	3	4	5
8.	Suprakash Balo Majumder	Birnagar, P.O. & P.S. Raiganj, Dist. Uttar Dinajpur	Independent	Bow and Arrow
9.	Subal Rabidas	Vill. Sayedpur, P.O. Balihara, P.S. Harirampur, Dist. Dakshin Dinajpur	Independent	Boat

Karnojora, Raiganj
6th April, 1996

Sd/-
Returning Officer

35—GANGARAMPUR ASSEMBLY CONSTITUENCY

1.	Asim Bagchi	Vill. Mahendra, P.O. Kanaipur, Dist. Dakshin Dinajpur	All India Indira Congress (Tiwari)	Lady Offering Flowers
2.	Ashish Majumdar	Vill & P.O. Badalpur, Dist. Dakshin dinajpur	Bharatiya Janata Party	Lotus
3.	Kalipada Das	Vill. Basra, P.O. Batun, Dist. Dakshin Dinajpur	Independent	Boat
4.	Chandan Sen Gupta	Vill. Shibpur, P.O. Bansihari, Dist. Dakshin Dinajpur	Independent	Rising Sun
5.	Jiban Chakraborty	Vill. Mahendra, P.O. Kanaipur, Dist. Dakshin Dinajpur	Independent	Bow and Arrow
6.	Minati Ghose	Rajibpur, P.O. Gangarampur, Dist. Dakshin Dinajpur	Communist Party of India (Marxist)	Hammer Sickle and Star

Buniadpur
6th April, 1996

Sd/-
Returning Officer

36—TAPAN (S.T.) ASSEMBLY CONSTITUENCY

1.	Khara Soren	Vill. Asair, P.O. Rajuha, P.S. Balurghat, Dist. Dakshin Dinajpur	R.S.P.	Spade and Stoker
2.	Nalin Murmu	Vill. P.O. & P.S. Tapan, Dist. D/ Dinajpur	Independent	Hurricane Lamp
3.	Panchali Oraon	Vill. Khirotta, P.O. Karai Chenchara, P.S. Tapan, D.D.	B.J.P	Lotus
4.	Baharmoni Hembram	Vill. Par Patiram. P.O. Atrai, P.S. Balurghat, Dist. D/Dinajpur	Independent	Two Leaves
5.	Lakshmi Ram Hembram	Vill. & P.O. Kardaha, P.S. Tapan, Dist. D/Dinajpur	I.N.C	Hand
6.	Sukumar Ekka	Vill. & P.O. Raghabpur, P.S. Gangarampur, Dist. D/Dinajpur	Independent	Axe
7.	Som Nath Hansda	Vill. & P.O. Balapur. P.S. Tapan, Dist. D/Dinajpur	Independent	Bow and Arrow

Balurghat
6th April, 1996

Sd/-
Returning Officer

37—KUMARGANJ ASSEMBLY CONSTITUENCY

1.	Anil Misra	Vill. & P.O. Chandganj, Dist. D/Dinajpur	B.J.P.	Lotus
2.	Dilip Kr. Soren	Vill. Faridpur, P.O. Bidaypur, Dist. D/Dinajpur	Independent	Bow & Arrow
3.	Dinesh Ch. Roy	Vill. Mangalpur, P.O. Balurghat. Dist. D/Dinajpur	Independent	Hurricane Lamp

1	2	3	4	5
4.	Dwijendra Nath Roy	Vill. Jagadishpur, P.O. Panchagram, Dist. D/Dinajpur	Independent	Aeroplane
5.	Parinita Singha Roy	Vill. Barahar, P.O. Mahipur, Dist. D/Dinajpur	I.N.C.	Hand
6.	Pronabesh Choudhury	Vill Chakbhabani, P.O. Balurghat, Dist. D/Dinajpur	Independent	Bicycle
7.	Baheti Shiunarayan	Vill. & P.O. Samjhia, Dist. D/Dinajpur	Independent	Jug
8.	Bidyut Ghosh	Vill. & P.O. Batun, Dist. D/Dinajpur	Independent	Axe
9.	Bibekananda Sarkar	Vill. & P.O. Dangarhat, Dist. D/Dinajpur	Independent	Chair
10.	Biswaranjan Das	Vill. & P.O. Patiram, Dist. D/Dinajpur	Independent	Ladder
11.	Maniruddin Sarkar	Vill. Katla, P.O. Dangarhat, Dist. D/Dinajpur	Independent	Rising Sun
12.	Md. Amzad Hossain	Vill. Bhour, P.O. Kumarganj, Dist. D/Dinajpur	Independent	Two Leaves
13.	Roy Dwijendra Nath	Vill. & P.O. Gopalganj, Dist. D/Dinajpur	C.P.I. (M)	Hammer, Sickle and Star

Balurghat
6th April, 1996

Sd/-
Returning Officer

38—BALURGHAT ASSEMBLY CONSTITUENCY

1.	Ashwini Kr. Majumder	Vill. & P.O. Bidaypur, P.S. Balurghat, Dist. Dakshin Dinajpur	Independent	Rising Sun
2.	Khan Biplab	Vill. & P.O. Chakvrigu, P.S. Balurghat, D.D.	I N.C	Hand
3.	Choudhury Biswanath	Vill. Chakbhabani, P.O. & P.S. Balurghat, Dist. Dakshin Dinajpur	R.S.P	Spade & Stoker
4.	Dhirendra Nath Singh	Vill. Fulbari, P.O. Buridighi, P.S. Gangarampur, Dist. D/Dinajpur	Independent	Axe
5.	Narayan Chandra Barman	Vill. Chakandaru, P.O. Amrail, P.S. Balurghat, Dist. D/Dinajpur	Independent	Two Leaves
6.	Probodh Kumar Barman	Vill. Mangalpur, P.O. Beltalapark, P.S. Balurghat, Dist. D/Dinajpur	Independent	Hurricane Lamp
7.	Mahabir Prosad Saraogi	Vill. P.O. & P.S. Hili, Dist. D/Dinajpur	B.J.P	Lotus
8.	Sachin Mardi	Vill. Noksha, P.O. Khidirpur, Dist. D/Dinajpur	Independent	Bow and Arrow

Balurghat
6th April, 1996

Sd/-
Returning Officer

39 HABIBPUR (S.T.) ASSEMBLY CONSTITUENCY

1.	Jetha Hembram	Vill. Hajipur, P.O. Rahutara, Dist. Malda	B.J.P.	Lotus
2.	Jadu Hemram	Vill. Nityanandapur, P.O. Habibpur, Dist. Malda	C.P.I. (M)	Hammer, Sickle & Star
3.	Raphael Tudu	Vill. & P.O. Rahutara, Dist. Malda	Independent	Two Leaves
4.	Lucas Hansda	Vill. Lonsha, P.O. Gopalpurhat. Dist. Malda	I.N.C.	Hand

1	2	3	4	5
5.	Shibananda Soren	Vill. Bluti Danga, P.O. Asrampur, Dist. Malda	Independent	Bicycle
6.	Hopna Mardi	Vill. Gangaprosad Colony, P.O. Maheshpur, P.S. Bamongola, Dist. Malda	Independent	Bow & Arrow

Malda,
6th April, 1996

Sd/-
Returning Officer

40—GAZOLE (S.T.) ASSEMBLY CONSTITUENCY

1.	Datal Mardi	Vill. Jhimali Para, P.O. Lakshipur, P.S. Gazole, Dist. Malda	C.P.I. (ML)Liberation	Bow & Arrow
2.	Debnath Murmu	Vill. & P.O. Mudapur, Dist. Malda	C.P.I.(M)	Hammer, Sickle & Star
3.	Bengamin Hemram	Vill. & P.O. Bagsarai, Dist. Malda	I.N.C.	Hand
4.	Manglu Murmu	Vill. Chakda Para, P.O. Lakshipur, P.S. Gazole, Dist. Malda	Independent	Two Leaves
5.	Shyam Murmu	Vill. Dharail, P.O. Hatimari, Dist. Malda	B.J.P.	Lotus
6.	Hopna Saren	Vill. Keshar Ghata, P.O. Daulatpur, P.S. Bansihari, Dist. Dakshin Dinajpur	Independent	Axe

Malda
6th April, 1996

Sd/-
Returning Officer

41—KHARBA ASSEMBLY CONSTITUENCY

1.	Kasiruddin Ahmed	Vill. Rajnagar, P.O. Hatinda, Dist. Malda	Independent	Boat
2.	Nazmul Hoque	Vill. Barogachhia, P.O. Chanchal, Dist. Malda	C.P.I. (M)	Hammer, Sickle and Star
3.	Najrul	Vill. Dighi, P.O. Kharba, Dist. Malda	C.P.I. (ML) (Liberation)	Bow and Arrow
4.	Baidyanath Das	Vill. Chhabilpara, P.O. Samsi, Dist. Malda	Independent	Two Leaves
5.	Mahbubul Hoque	P.O. & Vill. Naikanda, Dist. Malda	I.N.C.	Hand
6.	Safiqul Islam	Vill. Khelenpur, P.O. Chanchal, Dist. Malda	Independent	Ladder
7.	Subhas Krishna Goswami	P.O. & Vill. Kaligram, Dist. Malda	B.J.P.	Lotus

D.M. Office, Malda
6th April, 1996

Sd/-
Returning Officer

42—HARISCHANDRAPUR ASSEMBLY CONSTITUENCY

1.	Alam Mostaque	P.O. & Vill. Baghua, Dist. Malda	I.N.C.	Hand
2.	Kashi Das	P.O. & Vill, Pipla, Dist. Malda	Independent	Bow and Arrow
3.	Jayanti Jha	P.O. & Vill. Tulshihata, Dist. Malda	Independent	Bicycle
4.	Paban Agarwala	P.O. & Vill. Harischandrapur, Dist. Malda	Independent	Car
5.	Birendra Kumar Maitra (Bishu Babu)	P.O. & Vill. Tulshihata, Dist. Malda	A.I.F.B.	Lion
6.	Raghunath Ram	P.O. & Vill. Harischandrapur, Dist. Malda	B.J.P.	Lotus

1	2	3	4	5
7.	Rathindranath Paul	P.O. & Vill. Borio, Dist. Malda	Independent	Lock and Key
8.	Sahadeb Mandal	P.O. & Vill. Boroi, Dist. Malda	Forward Bloc (Socialist)	Rising Sun
9.	Sattar	Vill. Bornahi, P.O. Talbangrua, Dist. Malda	Independent	Ladder

Malda
6th April, 1996

Sd/-
Returning Officer,

43—RATUA ASSEMBLY CONSTITUENCY

1.	Mozammel Haque	Vill. Baikunthapur, P.O. Ratua, Dist. Malda	C.P.I. (M)	Hammer, Sickle and Star
2.	Shiba Prasad Saha	Vill. & P.O. Samshi, P.S. Ratua, Dist. Malda	B.J.P.	Lotus
3.	Samar Mukherjee	Vill. & P.O. Mahanandatola, Dist. Malda	I.N.C.	Hand
4.	Sadhan Misra	Vill. & P.O. Baharal, P.S. Ratua, Dist. Malda	Independent	Aeroplane
5.	Sitaram	Vill. Mashaldaha, P.O. Kariali, P.S. Harishchandrapur, Dist. Malda	Independent	Bow and Arrow
6.	Solaiman	Vill. Karbana, P.O. Bhado, Dist. Malda	Independent	Ladder

Malda
6th April, 1996

Sd/-
Returning Officer

44—ARAIDANGA ASSEMBLY CONSTITUENCY

1.	Abdul Hannan	Vill. Maharajnagar, P.O. Haripur, Dist. Malda	Independent	Two Leaves
2.	Asha Chowdhury	Vill. Buraburitala, P.O. Rathbari, Dist. Malda	Independent	Boat
3.	Paresh Chandra Mandal	Vill. Haripur, P.O. Ekbarna, Dist. Malda	Independent	Clock
4.	Manjur Ali	Vill. & P.O. Katlamari, Dist. Malda	Independent	Bow & Arrow
5.	Sibendu Sekhar Roy	Vill. Nasipur, P.O. Pukhuria, Dist. Malda	B.J.P.	Lotus
6.	Sabitri Mitra	Puratuli Sadar Ghat, P.O. & Dist. Malda	I.N.C.	Hand
7.	Setara Begum	Vill. Maharajnagar, P.O. Haripur, Dist. Malda	C.P.I. (M)	Hammer, Sickle and Star

Malda
6th April, 1996

Sd/-
Returning Officer

45 MALDA (S.C.) ASSEMBLY CONSTITUENCY

1.	Janapriya Saha	Vill. & P.O. Mangalbari, Dist. Malda	Independent	Rising Sun
2.	Dinesh Sarkar	Vill. Char Laxmipur P.O. Ailo, Dist Malda	Independent	Bow & Arrow
3.	Dhirendra Choudhury	Vill. Kendua, P.O. Bulbulchandi, Dist. Malda	B.J.P.	Lotus
4.	Phani Bhusan Roy	Vill. Fulbari, P.O. Malda, Dist. Malda	I.N.C.	Hand
5.	Subhendu Chowdhury	Vill. Jote, P.O. Arapur, Dist. Malda	C.P.I. (M)	Hammer, Sickle & Star

Malda
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		46 –ENGLISHBAZAR ASSEMBLY CONSTITUENCY		
1.	Ashok Bhattacharjya	Sarbamangalapally, P.O. & Dist. Malda	C.P I (M)	Hammer, Sickle and Star
2.	Gautam Chakravartty	Uttar Baluchar, Bandh Road, P.O. & Dist. Malda	I.N.C.	Hand
3.	Tapan Sikdar	4 W I, Bhupendra Bose Avenue, 1st Floor, Calcutta-700 004	B.J.P.	Lotus
4.	Dharanidhar Mandal	Vill. & P.O. Sattari, Dist. Malda	Independent	Rising Sun
5.	Bimal Kumar Kundu	Vill. Madhabnagar, P.O. Makdumpur, Dist. Malda	Independent	Two Leaves
6.	Dr. Manab Banerjee	Vivekananda Pally, Pachim, P.O. & Dist. Malda	Independent	Bow and Arrow
7.	MD. Hasen Ali	Vill, Sahistuli, P.O. & Dist. Malda	Independent	Boat

Malda
6th April, 1996

Sd/-
Returning Officer

		47—MANIKCHAK ASSEMBLY CONSTITUENCY		
1.	Prasun Sarkar	Vill. Aragachhi, P.O. Dalla, Dist. Malda	Independent	Apple
2.	Phul Kr. Ghosh	Vill. Nilkanthatola, P.O. Sukdebpur, Dist. Malda	B.J.P.	Lotus
3.	Ramprabesh Mondal	Vill. & P.O. Manikchak, Dist. Malda	I.N.C.	Hand
4.	Sitaram Singha	Vill. & P.O. Manikchak, Dist. Malda	Independent	Boat
5.	Subodh Chaudhuri	Vill. & P.O. Manikchak, Dist. Malda	C.P.I. (M)	Hammer, Sickle & Star
6.	Saikh Saifuddin	Vill. Jesarattola, P.O. Rahimpur, Dist. Malda	Independent	Ladder
7.	Sk. Siddique	Vill. Masumphak, P.O. Maherpur, P.S. Kaliachak, Dist. Malda	Independent	Bow & Arrow

Malda
6th April, 1996

Sd/-
Returning Officer

		48—SUJAPUR ASSEMBLY CONSTITUENCY		
1.	Anadi Saha	Vill. Gharialichak, P.O. Kaliachak, Dist. Malda	B.J.P.	Lotus
2.	Abdur Reuf	Vill. Kashimnagar P.O. Jadupur, Dist. Malda	C.P.I. (M)	Hammer, Sickle & Star
3.	Ali Nur Mohammad	Vill. Kahala, P.O. Uttar Lakshmipur	Independent	Rising Sun
4.	Md. Faruque Hussain	Vill. Brahmottor, P.O. Chhoto Sujapur, Dist. Malda	Independent	Ladder
5.	Rubi Noor	Vill & P.O. Kotwali, Dist. Malda	I.N.C.	Hand
6.	Lutfur Rahman	Vill & P.O. Nabinagar, Dist. Malda	Independent	Bow & Arrow
7.	Md. Shamsul Haque	Vill & P.O. Baliadanga, Dist. Malda	Independent	Boat

Malda
6th April, 1996

Sd/-
Returning Officer

		49—KALIACHAK ASSEMBLY CONSTITUENCY		
1.	Abu Hasem Khan Choudhury	Vill. & P.O. Kotwoali, Dist. Malda	I.N.C.	Hand

1	2	3	4	5
2.	Abdus Salam	Vill. & P.O. Baliadanga, Dist. Malda	Independent	Boat
3.	Ghanashyam Mandal	Vill. & P.O. Chari-Anantapur, Dist. Malda	B.J.P.	Lotus
4.	Jiyaul	Vill. Najirpur, P.O. Sujapur, Dist. Malda	Independent	Ladder
5.	Dhirendra Nath Sarkar	Vill. Kamaltola, P.O. Gurutola, Dist. Malda	C.P.I. (ML) (Lib)	Bow & Arrow
6.	Naresh Mandal	Vill. & P.O. Bholaichak, Dist. Malda	Independent	Two Leaves
7.	Biswanath Ghosh	Vivekanandapally, P.O. & Dist. Malda	C.P.I. (M)	Hammer, Sickle & Star
8.	Madan Mohan Mandal	Vill. & P.O. Golapganj, Dist. Malda	Independent	Rising Sun
9.	Jadunath Mandal	Vill. Kartick Sarkarertola P.O. Golapganj, Dist. Malda	Independent	Axe

Malda
6th April, 1996

Sd/-
Returning Officer

50—FARAKKA ASSEMBLY CONSTITUENCY

1.	Amal Kumar Biswas	Qr. No. C-17, N.P.C.C. Colony No.II, P.O. Farakka Barrage, Dist. Murshidabad	Independent	Rising Sun
2.	Ataur Rahaman	Vill. & P.O. Mahadebnagar, Dist. Murshidabad	Independent	Boat
3.	Abul Hasnat Khan	Vill. & P.O. Arjunpur, Dist. Murshidabad	C.P.I. (M)	Hammer, Sickle & Star
4.	Abdul Malek	Vill. Tofapur. P.O. Bhabanipur, Dist. Murshidabad	Muslim League	Ladder
5.	Khairul Alam	Vill. Kuligram, P.O. Kuli, Dist. Murshidabad	B.S.P.	Elephant
6.	Nuran Nabi	Vill. Uttar Mahadebnagar P.O. Mahadebnagar, Dist Murshidabad	Independent	Axe
7.	Parichay Dasgupta	Vill. Bindugram, P.O. Beniagram, Dist. Murshidabad	Independent	Two Leaves
8.	Mainul Hoque	Vill. & P.O. Tildanga, Dist. Murshidabad	I.N.C.	Hand
9.	Sasti Charan Ghosh	P.O. Dhuliyan, Dist. Murshidabad	B.J.P.	Lotus

Raghunathganj
6th April, 1996

Sd/-
Returning Officer,

51—AURANGABAD ASSEMBLY CONSTITUENCY

1.	Ashok Kumar Das	Vill. + P.O. Aurangabad, P.S. Suti, Dist. Murshidabad	Bharatiya Janata Party	Lotus
2.	Afajuddin	Vill. Raghunandanpur, P.O. Kankuria, P.S. Samserganj, Dist. Murshidabad	Independent	Ladder
3.	Ismail Biswas	Vill. & P.O. Jaykrishnapur, Dist. Murshidabad	Independent	Letter Box
4.	Kabil	Vill. Sherpur, P.O. Nimtita, P.S. Samserganj, Dist. Murshidabad	Bharatiya Minorities Suraksha Mahasangh	Axe
5.	Khairul Basir	Vill. Sherpur, P.O. Nimtita, P.S. Samserganj, Dist. Murshidabad	Independent	Rising Sun
6.	Jakir Hossain	Vill. Mahendrapur, P.O. Daharpar, P.S. Suti, Dist. Murshidabad	Independent	Bucket

1	2	3	4	5
7.	Touab Ali	Vill. & P.O. Dhuliyan, P.S. Samserganj, Dist. Murshidabad	Communist Party of India (Marxist)	Hammer, Sickle and Star
8.	Das Prabhat Kumar	Vill. & P.O. Kadamtala, P.S. Suti, Dist. Murshidabad	Independent	Clock
9.	Dwarikanath Das	Vill. & P.O. Tinpakuria, Via - Dhuliyan, P.S. Samserganj, Dist. Murshidabad	Independent	Bicycle
10.	Bidyapati Haldar	D.N. College, P.O. Aurangabad, P.S. Suti, Dist. Murshidabad	Independent	Boat
11.	Mostaque Ahamed	Vill. Horsenagar, P.O. Tinpakuria, P.S. Samserganj, Dist. Murshidabad	Independent	Two leaves
12.	Satrughna Rabi Das	Vill. Kanchantala (Hospital More), P.O. Dhuliyan, P.S. Samserganj, Dist. Murshidabad	Independent	Apple
13.	Humayun Reza	Vill. Khanabari, P.O. Daharpar, P.S. Suti, Dist. Murshidabad	Indian National Congress	Hand

Raghunathganj
6th April, 1996

Sd/-
Returning Officer

52 -- SUTI ASSEMBLY CONSTITUENCY

1.	Chitta Mookherji	Vill. & P.O. Raghunathganj, P.S. Raghunathganj, Dist. Murshidabad	Bharatiya Janata Party	Lotus
2.	Das Tilak	Vill. Faridpur, P.O. Kashimnagar, P.S. Suti, Dist. Murshidabad	Independent	Car.
3.	Md. Sohrab	Vill. Mangaljan, P.O. Ghorsala, P.S. Raghunathganj, Dist. Murshidabad	Indian National Congress	Hand
4.	Shish Mohammad	Vill. Merupur, P.O. Purapara, P.S. Suti, Dist. Murshidabad	Revolutionary Socialist Party	Spade and Stoker
5.	Sukumar Sarkar	Vill. Srirampur, P.O. Parulia, P.S. Suti, Dist. Murshidabad	Independent	Bow and Arrow
6.	Sekh Wajed	Vill. Fatepur, P.O. Nurpur, P.S. Suti, Dist. Murshidabad	Independent	Ladder
7.	Shaikh Tota	Vill. & P.O. Ajagarpara, P.S. Suti, Dist. Murshidabad	Independent	Axe

Raghunathganj
6th April, 1996

Sd/-
Returning Officer

53--SAGARDIGHI (SC) ASSEMBLY CONSTITUENCY

1.	Ganesh Halder	Vill. Krishnamati, P.O. Balarampur, Dist. Murshidabad	All India Indira Congress (Tiwari)	Lady Offering flower
2	Das Paresh Nath	Vill. & P.O. Sagardighi, Dist. Murshidabad	Communist Party of India (Marxist)	hammer, Sickle and Star
3.	Nrisinha Kumar Mandal	Vill. & P.O. Manigram, Dist. Murshidabad	Indian National Congress	Hand
4.	Subrata Mahara	Vill. Itore Dangapara, P.O. Sahapur Barala, Dist. Murshidabad	Bharatiya Janata Party	Lotus

Raghunathganj
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		54—JANGIPUR ASSEMBLY CONSTITUENCY		
1.	Anuradha (Banerjee) Mondal	Raghunathganj Bazarpara, P.O. Raghunathganj, Dt. Murshidabad	Independent	Bicycle
2.	Abdul Haque	Vill. Islampur, P.O. Jangipur, Dt. Murshidabad	R.S.P.	Spade & Stoker
3.	Kasim Ali	Vill.. Chat Kalia, P.O. Jangipur, Dt. Murshidabad	Independent	Rising Sun
4.	Nazmul Haque	Vill. Chat Kalia, P.O. Jangipur, Dt. Murshidabad	Independent	Boat
5.	Sen Sukumar	Godown Road, P.O. Raghunathganj, Dt. Murshidabad	Independent	Clock
6.	Habibur Rahaman	Vill. & P.O. Sammatinagar, Dt. Murshidabad	I.N.C.	Hand
7.	Hariranjan Sarkar	Vill. & P.O. Raghunathganj, Dt. Murshidabad	B J.P.	Lotus

Raghunathganj
6th April, 1996

Sd/-
Returning Officer

		55—LALGOLA ASSEMBLY CONSTITUENCY		
1.	Ambujaksha Singha	Vill. Boyra (Gadadharpur) P.O. Sekhalipur	Independent	Axe
2.	Abu Hena	Vill. Uttar Sudarshanganj, P.O. & P.S. Lalgola, Dist. Murshidabad	Indian National Congress	Hand
3.	Ahmed Meraj	Vill. North Sudarshaganj, P.O. & P.S. Lalgola, Dist. Murshidabad	Independent	~~Plough~~ Clock
4.	Kanan Gopal Banerji	Vill. & P.O. Lalgola, Dist. Murshidabad	Independent	Boat
5.	Khairul Alam	Haque Pharmacy, P.O. & P.S. Lalgola, Dist. Murshidabad	Independent	Almirah
6.	Md. Johaque Ali	Vill. Fatepur, P.O. Moya, P.S. Lalgola, Dist. Murshidabad	Communist Party of India (Marxist)	Hammer, Sickle and Star
7.	Shibendra Narayan Chakraborty	Vill. Srimantapur, P.O. & P.S. Lalgola, Dist. Murshidabad	Independent	Rising Sun
8.	Sukumar Sarkar	Vill. Srimantapur, P.O. & P.S. Lalgola, Dist. Murshidabad	Bharatiya Janata Party	Lotus

Lalbagh
6th April, 1996

Sd/-
Returning Officer

		56—BHAGWANGOLA ASSEMBLY CONSTITUENCY		
1.	Ananda Mukherji	Vill. Hari Royerchak, P.O. Bhagwangola, Dist. Murshidabad	Bharatiya janata Party	Lotus
2.	Abdul Gani	Vill. Habaspur-Purbapara, P.O. Habaspur, Dist. Murshidabad	Independent	Ladder
3.	Abu Sufian Sarkar	Vill. Barianagar, P.O. Chhatai, P.S. Bhagwangola, Dist. Murshidabad	Indian National Congress	Hand
4.	Ahamed Kazimuddin	Vill. & P.O. Mahisasthali, P.S. Bhagwangola, Dist. Murshidabad	Independent	~~Plough~~ Clock
5.	Nawab Jani Meerza	Killa Nizamat, P.O. & Dist. Murshidabad	~~Samajbadi Party~~ C.P.I.(M)	Hammer, Sickle and Star

1	2	3	4	5
6.	Sadhan Ray	S.U.C.I. Office Bhagwangola, P.O. Bhagwangola, Dist. Murshidabad	Independent	Bicycle

Lalbagh
6th April, 1996

Sd/-
Returning Officer

57—NABAGRAM ASSEMBLY CONSTITUENCY

1.	Adhir Ranjan Chowdhury	45, Raja Ram Mohon Roy Sarani, Cal-700 009	Indian National Congress	Hand
2.	Anath Bandhu Das	Vill. Sukanta Pally, P.O. Jiaganj, Dist. Murshidabad	Shivsena	Bow and Arrow
3.	Alauddin Shaikh	Vill. Mominabad, P.O. Kanfala, Dt. Murshidabad	Bharatiya Janata Party	Lotus
4.	Bankim Chandra Ghosh	Vill. Sankuria, P.O. Rainda, Dt. Murshidabad	Independent	Apple
5.	Muzaffar Hossain	Vill. & P.O. Nabagram, Dt Murshidabad	Communist Party of India (Marxist)	hammer, Sickle and Star
6.	Soumen Das	Vill. & P.O. Nabagram, Dt. Murshidabad	Independent	Bicycle

Lalbagh
6th April, 1996

Sd/-
Returning Officer,

58—MURSHIDABAD ASSEMBLY CONSTITUENCY

1.	Arup Roy	Vill. & P.O. Indrani, P.S. Khargram, Dist. Murshidabad	Forward Bloc (Socialist)	Rising Sun
2.	Md. Azmal Hoque	Vill. Killa Nizamat, P.O. & Dist. Murshidabad	Independent	Ladder
3.	Abdul Ohab Mondal	Vill. Bali Gokulpur, P.O. Bali Gokulpur, Dist. Murshidabad	Indian National Congress	Hand
4.	Abdul Zabbar Sarkar	S.U.C.I. Office Lalbagh, P.O. Murshidabad, Dist. Murshidabad	Independent	Bicycle
5.	Abdul Mottaleb	Vill. Hareknagar (Majhpara), P.O. Beldanga, Dist. Murshidabad	Bahujan Samaj Party	Elephant
6.	Chhaya Ghosh	Hat Lalbagh, P.O. & Dist. Murshidabad	All India Forward Bloc	Lion
7.	Jyotsna Kumar Dutta	Vill. Sirajdoulla Bazar, P.O. Murshidabad, Dist. Murshidabad	Bharatiya Janata Party	Lotus
8.	Tarun Kanti Sarkar (Bagha)	Vill. Lalbagh, P.O. Murshidabad, Dist. Murshidabad	Independent	Boat
9.	Mozammel Haque	Vill. & P.O. Gudhia, Dist. Murshidabad	Independent	Bow and Arrow
10.	Rejuanul Hoque	Vill. Mahisasthali, P.O. Mahisasthali, Dist. Murshidabad	Independent	Jug
11.	Sankar Saha	Vill. Kutubpur, P.O. Murshidabad, Dist. Murshidabad	Independent	Spectacles
12.	Sekhar Ghosh	Vill. & P.O. Lalgola, Dist. Murshidabad	Independent	Car
13.	Sarkar Sherali	Vill. Ghugupara, P.O. Lochanpur, Dist. Murshidabad	Independent	Two Leaves

Lalbagh
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		59—JALANGI ASSEMBLY CONSTITUENCY		
1.	Abdul Motin	Vill. Shaikhpara, P.O. Shaikhpara, Dist. Murshidabad	Muslim League	Ladder
2.	Unus Sarkar	Vill Hukahara, P.O. Joykrishnapur, P.S. Jalangi, Dist. Murshidabad	Communist Party of India (Marxist)	Hammer, Sickle & Star
3.	Ahia Mandal	Vill. Chak Ramprosad, P.O. Harekrishnapur, Dist. Murshidabad	Independent	Bicycle
4.	Fazlul Haque	Vill. Kirtaniapara, P.O. Sahebrampur, Dist. Murshidabad	Paschim Banga Rajya Muslim League	Boat
5.	Maharanjan Sarkar	Vill. & P.O. Jalangi, Dist. Murshidabad	Bharatiya janata Party	Lotus
6.	Madhab Kumar Sardar	Vill. Dubapara, P.O. Kazipara, Dist. Murshidabad	Amra Bangali	Rising Sun
7.	Samsuzzoha Biswas	Vill. Uttar Ghoshpara, P.O. Muradpur Araji, Dist. Murshidabad	Indian National Congress	Hand
8.	Subodh Mandal	Vill. & P.O. Natial, Dist. Murshidabad	Independent	Chair

Berhampore (WB)
6th April, 1996

Sd/-
Returning Officer

		60—DOMKAL ASSEMBLY CONSTITUENCY		
1.	Anisur Rahaman	Vill. Bilaspur, P.O. Raipur, Dist. Murshidabad	Communist Party of India (Marxist)	Hammer, Sickle & Star
2.	Ashab Ali Ansari	Vill. Ramna Etbarnagar, P.O. Domkal, Dist. Murshidabad	Muslim League	Ladder
3.	Prodyot Kumar Pal	Vill. Bajitpur, P.O. Lakshminathpur, Dist. Murshidabad	Bharatiya Janata Party	Lotus
4.	Baijwid Hossain	Vill. Ramna Etbarnagar, P.O. Domkal, Dist. Murshidabad	Independent	Bicycle
5.	Sadeque Reza	Vill. Chandpur, P.O. Pardiar, Dist. Murshidabad	Indian National Congress	hand
6.	Sader Ali Mondal	Vill. Masimpur, P.O. Gangadaspara (Domkal), Dist. Murshidabad	Independent	Bow & Arrow
7.	Saikh Mohammad Abdur Rashid	Vill. Juginda, P.O. Juginda Roypara Dist. Murshidabad	Paschimbanga Rajya Muslim League	Boat

Berhampore (WB)
6th April, 1996

Sd/-
Returning Officer

		61—NAODA ASSEMBLY CONSTITUENCY		
1.	Adhikari Debes	Vill. Sankoa, P.O. Amtala, Dist. Murshidabad	B.J.P.	Lotus
2.	Kashinath Dutta	Vill. Chandpur, P.O. Chandpur, P.S. Naoda, Dist. Murshidabad	Independent	Bicycle
3.	Jayanta Kumar Biswas	Vill. & P.O. Amtala, P.S. Naoda, Dist. Murshidabad	R.S.P.	Spade & Stoker
4.	Nasiruddin Khan	Vill. & P.O. & P.S. Naoda, Dist. Murshidabad	I.N.C.	Hand

1	2	3	4	5
5.	Mandal Iynal Haque	Vill. Damdama, P.O. Goghata, Dist. Murshidabad	All India Indira Congress (Tewari)	Lady Offering Flower

Berhampur
6th April, 1996

Sd/-
Returning Officer

62—HARIHARPARA ASSEMBLY CONSTITUENCY

1.	Anup Biswas	Vill. Radharghat Colony Dakshin, P.O. Radharghat, Dist. Murshidabad	Independent	Jug
2.	Ansari Maimur Hossain	Vill. Rejlapara, P.O. Tartipur, P.S. Hariharpara, Dist. Murshidabad	Independent	Bucket
3.	Abdul Bari	Vill. Kedartala, P.O. Nischintapur, P.S. Hariharpara, Dist. Murshidabad	Paschim Banga Rajya Muslim League	Boat
4.	Abdul Latib Sk	Vill. Khidirpur Nutanpara, P.O. Baruipara, P.S. Hariharpara, Dist. Murshidabad	Independent	Rising Sun
5.	Gopal Lal Banerjee	Vill. Baharam, P.O. Baruipara, Dist. Murshidabad	B.J.P.	Lotus
6.	Madan Sarkar	Vill. & P.O. Choa, P.S. Hariharpara, Dist. Murshidabad	Independent	Bicycle
7.	Mondal Afajuddin	Vill. Mamdalipur, P.O. Nutanpara Raipur, Dist. Murshidabad	Independent	Two Leaves
8.	Mannan Hossain	Radharghat Road, P.O. Radharghat, Dist. Murshidabad	Indian National Congress	Hand
9.	Marjam Hossain Mondal	Vill. Baharam, P.O. Nischintapur, Dist. Murshidabad	Independent	Bow & Arrow
10.	Mozammel Haque	Vill. & P.O. Padmanarpur, P.S. Hariharpara, Dist. Murshidabad	C.P.I.(M)	Hammer, Sickle & Star
11.	Rabiul Islam	No. 2-Old Police Line, P.O. & P.S. Berhampore, Dist. Murshidabad	Muslim League	Ladder
12.	Sk Sayem	Vill. Sialmara Nutanpara, P.O. Radharghat, Dist. Murshidabad	Independent	Axe
13.	Haque Samsul	Vill. Kashimnagar, P.O. Nutanpara Raipur, P.S. Hariharpara, Dist. Murshidabad	B.S.P.	Elephant

Berhampur (WB)
6th April, 1996

Sd/-
Returning Officer

63—BERHAMPORE ASSEMBLY CONSTITUENCY

1.	Alok Jyoti Mandal	139/11/1/A, Amar Chakraborty Road, P.O. Khagra, Dist. Murshidabad	Independent	Jug
2.	Kalyanaksha Ghosh	6, Jangu Dr. Lane, P.O. Berhampore, Dist. Murshidabad	Independent	Brick
3.	Kanan Kumar Saha	Jamidary Road, Gorabazar, P.O. Berhampore, Dist. Murshidabad	Independent	Letter Box
4.	Tarun Kumar ghosh	42, Khatiktola Road, P.O. Berhampore, Dist. Murshidabad,	Independent	Two leaves
5.	Pranab Banerjee	29, Pilkhana Road, P.O. Berhampore, Dist. Murshidabad	Bharatiya Janata Party	Lotus

1	2	3	4	5
6.	Biswanath Banerjee	31, Dinu Sanyal Lane, P.O. Berhampore, Dist. Murshidabad	Revolutionary Socialist party	Spade & Stocker
7.	Maya Rani Paul	26, Goalpara Lane, Gorabazar, P.O. Berhampore, Dist. Murshidabad	Indian National Congress	Hand
8.	Sariful Biswas	Vill Abhirampur, P.O. Daulatabad, Dist. Murshidabad	Paschim Banga Rajya Muslim League	Ladder
9.	Sunit Kumar Sarkar	32/33 Nimai Chhay Bhai Lane, P.O. Khagra, Dist. Murshidabad	Independent	Rising sun
10.	Subrata Chakrabarti	16/1, Amar Chakraborty Road, P.O. Khagra, Dist. Murshidabad	Independent	Bicycle

Berhampur
6th April, 1996

Sd/-
Returning Officer

64—BELDANGA ASSEMBLY CONSTITUENCY

1.	Choudhury Jahidul Islam	Vill. Pulinda, P.O. Pulinda, Dist. Murshidabad	Independent	Bycycle
2..	Tanmoy Chatterjee	Vill. Bhabta, P..O. Bhabta, Dist. Murshidabad	Bharatiya Janata Party	Lotus
3.	Timir Baran Bhaduri	Vill. Beldanga, P.O. Beldanga, Dist. Murshidabad	Revolutionary Socialist Party	Spade & Stoker
4.	Nurul Islam Choudhury	Vill. Mirjapur, P.O. Mirjapur, Dist. Murshidabad	Indian National Congress	Hand
5.	Sk. Md. Hasan	Vill. Hareknagar, P.O. Hareknagar, Dist. Murshidabad	Paschim Banga Rajya Muslim League	Ladder

Berhampur
6th April, 1996

Sd/-
Returning Officer

65—KANDI ASSEMBLY CONSTITUENCY

1.	Atish Chandra Sinha	Kandi Rajbati, P.O. Kandi, Dist. Murshidabad	Indian National Congress	Hand
2.	Ujjal Dubey	Vill. Madhunia, P.O. Kandi, Dist. Murshidabad	Independent	Axe
3.	Tarachand Saikh	Vill. Sahajadpur, P.O. Basudevkhali, P.S. Berhampore, Dist. Murshidabad	Independent	Aeroplane
4.	Prabal Kanti Singha Roy	Bandhapukur, P.O. Kandi, Dist. Murshidabad	Bharatia Janata Party	Lotus
5.	Probodh Ghosh	Bijoynagar, P.O. Kandi, Dist. Murshidabad	Independent	Clock
6.	Balaram Baral	Vill. + P.O. Indrani, P.S. Khargram, Dist. Murshidabad	Independent	Rising Sun
7.	Manowar Hossain	Vill. Lokepur, P.O. Basudebkhali, Dist. Murshidabad	Independent	Bicycle
8.	Syed Wahed Reza	Kandi Mohan Bagan, P.O. Kandi, Dist. Murshidabad	Communist Party of India	Ears of Corn and Sickle

Kandi
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		66—KHARGRAM (S.C.) ASSEMBLY CONSTITUENCY		
1.	Ananda Dolui	Vill. Sitalgram, P.O. Jhikarhati, Dist. Murshidabad	Forward Block (Socialist)	Rising Sun
2.	Biswanath Mondal	Vill. Raninagar, P.O. Uttar Gopinathpur, Dist. Murshidabad	Communist Party of India (Marxist)	Hamer, Sickle and Star
3.	Madhab Chandra Marjit	Vill. Amjua, P.O. Sadal, Dist. Murshidabad	Indian National Congress	Hand
4.	Shrimanta Mondal	Vill. Khargram, P.O. Khargram, Dist. Murshidabad	Independent	Bicycle
5.	Satyendranath Mondal	Vill. Purapara, P.O. Sabaldaha, Dist. Murshidabad	Bharatiya Janata Party	Lotus
6.	Sadhan Marjit	Vill. & P.O. Jaypur, Dist. Murshidabad	C.P.I. (M.L.) (Liberation)	Bow and Arrow

Kandi
6th April, 1996

Sd/-
Returning Officer

		67—BURWAN ASSEMBLY CONSTITUENCY		
1.	Ali Hossain Mondal	Vill. & P.O. Indrani, P.S. Khargram, Dist. Murshidabad	Indian National Congress	Hand
2.	Jitendranath Ghosh	Vill. Srihatta, P.O. Gramsalika, Dist. Murshidabad	Bharatia Janata Party	Lotus
3.	Debabrata Banerjee	76, Nirupama Debi Road, P.O. Berhampore, Dist. Murshidabad	Revolutionary Socialist Party	Spade and Stoker
4.	Mofaza Khatun	Vill. & P.O. Keshiadanga, P.S. Khargram, Dist. Murshidabad	Samata Party	Flaming Torch
5.	Sasti Charan Mal	Vill. & P.O. Barwan, Dist. Murshidabad	Independent	Bow and Arrow
6.	Sujit Kumar Ghosh	Vill. Ghunkia, P.O. Mohurakandi, Dist. Murshidabad	Amra Bangalee	Rising Sun

Kandi
6th April, 1996

Sd/-
Returning Officer

		68—BHARATPUR ASSEMBLY CONSTITUENCY		
1.	Id. Mahammad	Vill. & P.O. Salar, Dist. Murshidabad	Revolutionary Socialist Party	Spade and Stoker
2.	Nurul Huda	Vill. Salar Sk. Para, P.O. Salar, Dist. Murshidabad	Independent	Bycycle
3.	Rathin Bhattacherjee	16, Alif Khan Mahalla, Gorabazar, P.O. Berhampore	Independent	Rising Sun
4.	Satyanarayan Banerjee	18/14, Amar Chakraborty Road, P.O. Khagra, Dist. Murshidabad	Indian National Congress	Hand
5.	Haradhan Chakraborty	Vill. & P.O. Dakshinkhanda, Dist. Murshidabad	Bharatiya Janata Party	Lotus

Kandi
6th April, 1996

Sd/-
Returning Officer

		69 –KARIMPUR ASSEMBLY CONSTITUENCY		
1.	Asutosh Pal	Vill. & P.O. Karimpur, Dist. Nadia	Independent	Bicycle
2.	Iman Mondol	Vill. Bagchi Janserpur, P.O. Janserpur, P.S. Karimpur, Nadia	Independent	Jug

1	2	3	4	5
3.	Chittaranjan Biswas	Vill. Anandapalli, P.O. Karimpur, Dist. Nadia	Communist Party of India (Marxist)	Hammer, Sickle and Star
4.	Chira Ranjan Mandal	Vill. & P.O. Karimpur, Dist. Nadia	Indian National Congress	Hand
5.	Tamesh Pal	Vill. & P.O. Karimpur, P.S. Karimpur, Dist. Nadia	All India Indira Congress (Tiwari)	Lady Offering Flowers
6.	Nabakumar Mondal	Vill. & P.O. Karimpur, P.S. Karimpur, Dist. Nadia	Bharatiya Janata Party	Lotus
7.	Sudhansu Kumar Biswas	Vill. & P.O. Karimpur, P.S. Karimpur, Dist. Nadia	Independent	Apple

Tehatta
6th April, 1996

Sd/-
Returning Officer

70—PALASHIPARA ASSEMBLY CONSTITUENCY

1.	Amal Krishna Halder	Vill. & P.O. Betai, P.S. Tehatta, Dist. Nadia	Independent	Letter Box
2.	Arabinda Biswas	Vill. Bahadurpur, P.O. Mrigi, Dist. Nadia	Bahujan Samaj Party	Elephant
3.	Agarwala Dhanaraj	Vill. Bazarpara, P.O. Palashipara, P.S. Tehatta, Dist. Nadia	Bharatiya Janata Party	Lotus
4.	Ujjal Biswas	Mohitosh Biswas ST. Krishnagar, P.O. Krishnagar, Dist. Nadia	Indian National Congress	Hand
5.	Kamalendu Sanyal (Sasthi)	Vill. & P.O Betai, P.S. Tehatta, Dist. Nadia	Communist Party of India (Marxist)	Hammer, Sickle and Star
6.	Quddus Shaikh	Vill. Radhanagar, P.O. Gopinathpur, P.S. Tehatta, Dist. Nadia	All India Indira Congress (Tiwari)	Lady Offering Flower
7.	Mihir Baran Biswas	Vill. & P.O. Chota Naldaha, Dist. Nadia	Independent	Aeroplane
8.	Mosafuddin Mandal	Vill. & P.O. Baruipara, P.S. Tehatta, Dist. Nadia	Independent	Bicycle
9.	Satinath Bairagya	Vill. & P.O. Sahebnagar, P.S. Tehatta, Dist. Nadia	Independent	Brick
10.	Swapan Mondal	Vill. Barnia Poundpara, P.O. Barnia, Dist. Nadia	Amra Bangalee	Rising Sun
11.	Haramohon Sarkar	Vill. & P.O. Nazirpur, P.S. Tehatta, Dist. Nadia	Independent	Chair

Tehatta
6th April, 1996

Sd/-
Returning Officer

71—NAKASHIPARA ASSEMBLY CONSTITUENCY

1.	Umesh Chandra Sarkar	Vill. Khidirpur Sarat Palli, P.O. Bethuadahari, P.S. Nakashipara, Dist. Nadia	Independent	Car
2.	Gouranga Ballav	Vill. Jugpur Colony, P.O. Jugpur Colony, P.S. Nakashipara, Dist. Nadia	Bharatiya Janata Party	Lotus
3.	Dhrubajyoti Ghosh	Vill. West Jagadanandapur, Uttarpara, P.O. Bethuadahari, Dist. Nadia, P.S. Nakashipara	Indian National Congress	Hand
4.	Nani Gopal Das	P.O. & Vill. Jugpur Colony, P.S. Nakashipara, Dist. Nadia.	Shivsena	Bow and Arrow

1	2	3	4	5
5.	Biman Biswas	Vill. Kalinagar, P.O. Rupdaha, P.S. Dhubulia, Dist. Nadia	Communist Party of India (Marxist Lennist Liberation)	Ladder
6.	Bose Rekha	Vill. Nutan Barnia, P.O. Barnia, P.S. Tehatta, Dist. Nadia	All India Indira Congress (Tewari)	Lady offering Flowers
7.	Mondal Sudhangasu	Vill & P.O. Uttar Bahir Gachhi, P.S. Nskashipara, Dist. Nadia	Bahujan Samaj Party	Elephant
8.	Milan Majumder	Vill. East Jagadanandapur, Station Para, P.S. Nakashipara, Dist. Nadia	Independent	Bicycle
9.	Sajahan Mollick	Vill. & P.O. Match Pota, P.S. Nakashipara, Dist. Nadia	Independent	Two Leaves
10.	Sunil Biswas	Vill. & P.O. Patika Bari, P.S. Nakashipara, Dist. Nadia	Amra Bangalee	Rising Sun
11.	Shaikh Khabir Uddin Ahmed	Vill. Bethuadahari Hospital Para, P.O. Bethuadahari, P.S. Nakashipara, Dist. Nadia	Communist Party of India (Marxist)	Hammar, Sickle & Star

Krishnagar
6th April, 1996

Sd/-
Returning Officer

72—KALIGANJ ASSEMBLY CONSTITUENCY

1.	Adhir Kumar Biswas	Kalinagar Govt. Colony, Ward No. 7, P.O. Krishnagar, Dist. Nadia	Shivsena	Bow & Arrow
2.	Amal Majumder	Vill. Abhaynagar, P.O. Baruipara, Dist. Nadia	All India Congress (Tewari)	Lady Offering Flowers
3.	Abdus Salam Munshi	Vill. Mirjapur, P.O. Paglachandi, Dist. Nadia	Indian National Congress	Hand
4.	Altaf Hossain Shaikh	Vill. & P.O. Barachandghar, Dist. Nadia	Communist Party of India (Marxist-Leninist Liberation)	Rising Sun
5.	Khan Mozibor Rahaman	Vill. & P.O. Saligram, P.S. Nakashipara, Dist. Nadia	Bahujan Samaj Party	Elephant
6.	Dhananjoy Modak	Vill. & P.O. Debagram, P.S. Kaliganj, Dist. Nadia	Revolutionery Socialist Party	Spade & Stoker
7.	Molla Jafrulla	Vill. & P.O. Haranagar, P.S. Nakashipara, Dist. Nadia	Indian National League	Bi-Cycle
8.	Siraj Mandal	Vill.Radhikapur, P.S. Kaliganj, Dist. Nadia	Samata Party	Flaming Torch
9.	Subal Chandra Sarker	Vill. Mira, P.O. Plassey, P.S. Kaliganj, Dist. Nadia	Bharatiya Janata Party	Lotus
10.	Sekh Rahamatulla	Vill. Jompukur, P.O. Debagram, P.S. Kaliganj	Muslim League	Ladder
11.	Harroj Ali Shaikh	Vill. Radhakantapur, Dist. Nadia	Independent	Boat

Krishnagar
6th April, 1996

Sd/-
Returning Officer

73—CHAPRA ASSEMBLY CONSTITUENCY

1.	Ghosh Sachin	Hazariber Kumarpara Lane, Ghurni, Nadia	B. J. P.	Lotus
2.	Julfikar Khan	Vill. & P.O. Taranipur, P.S. Tehatta, Dist. Nadia	I. N. C.	Hand

1	2	3	4	5
3.	Bipul Pramanik	Vill. Sandhya Mathpara, P.O. Ghurni, Dist. Nadia	C. P. I. (ML) Liberation	Ladder
4.	Biswas Kumud	Vill. Bagakhali South, P.O. Chhatina, P.S. Tehatta, Dist. Nadia	B. S. P.	Elephant
5.	Mir Quasem Mondal	Vill. Pukhuria, P.O. Tilakpur, Dist. Nadia	C. P. I. (M)	Hammer, Sickle and Star
6.	Subir Sarkar	Beltala Bazar Lane, P.O. Ghurni, P.S. Kotwali, Dist. Nadia	Shivsena	Bow and Arrow
7.	Shaikh Anarul	Vill. & P.O. Charmoktarpur, P.S. Karimpur, Dist. Nadia	Independent	Lock & Key
8.	Sekh Jilani	Vill. & P.O. Bara Andulia, P.S. Chapra, Dist. Nadia	Muslim League	Two Leaves

Krishnagar
6th April, 1996

Sd/-
Returning Officer

74--KRISHNAGANJ (S.C.) ASSEMBLY CONSTITUENCY

1.	Arun Mandal	Vill. Elangi, P.O. Pipragachi, P.S Chapra, Dist. Nadia	Amra Bangalee	Rising Sun
2.	Kumod Biswas	Vill. Ujirpur, P.O. Barnia, P.S. Tehatta, Dist. Nadia	All India Indira Congress (Tewari)	Lady Offering Flowers
3.	Tarapada Majhi	Vill. Satyanagar, P.O. & P.S. Krishnaganj, Dist. Nadia	Bahujan Samaj Party	Elephant
4.	Bidhan Chandra Poddar	Vill. & P.O. Bhimpur, P.S. Kotwali, Dist. Nadia	Indian National Congress	Hand
5.	Biswas Manoj Kumar	Vill. Bishnupur, P.O. Khalboalia, P.S. Krishnaganj, Dist. Nadia	Independent	Bow and Arrow
6.	Subodh Biswas	P.O. & Vill. Assannagar, P.S. Kotwali, Dist. Nadia	Bharatiya Janata Party	Lotus
7.	Subhash Choudhury	Vill. Pakurgachi, P.O. Bhimpur, P.S. Kotwali, Dist. Nadia	Independent	Apple
8.	Sushil Biswas	Vill. Dafarpota, P.O. Bhimpur, P.S. Kotwali, Dist. Nadia	Communist Party of India (Marxist)	Hammer, Sickle and Star

Krishnagar
6th April, 1996

Sd/-
Returning Officer

75—KRISHNAGAR EAST ASSEMBLY CONSTITUENCY

1.	Sri Amulya Chakraborty	Beledanga Ghoshpara, P.O. Krishnagar, P.S. Kotwali, Dist. Nadia	Independent	Coconut Tree bearing fruits
2.	Kamal Dutta	Pallisree Road, P.O. Krishnagar, P.S. Kotwali, Dist. Nadia	Independent	Bicycle
3.	Chitta Ranjan Bhowmick	Jadunath Pal Lane, P.O. Ghurni, P.S. Kotwali, Dist. Nadia	Shivsena	Bow and Arrow
4.	Debdas Halder	Saktinagar Basanta Saha Chowdhury Road, P.O. Saktinagar, P.S. Kotwali, Dist. Nadia	Amra Bangalee	Rising Sun
5.	Brojen Ghosh	Nutan Barnia, P.O. Barnia, P.S. Tehatta, Dist. Nadia	All India Indira Congress (Tewari)	Lady Offering Flowers

1	2	3	4	5
6.	Manika Biswas	Radhanagar Daroga Lane, P.O. Ghurni, P.S. Kotwali, Dist. Nadia	Bharatiya Janta party	Lotus
7.	Madhu Sudan Ray	Sadhak Ramprosad Rd., P.O. Krishnagar, P.S. Kotwali, Dist. Nadia	Samata Party	Flaming Torch
8.	Radhanath Biswas	Vill. Hatisala, P.O. Dignagar, P.S. Kotwali, Dist. Nadia	Communist Party of India (Marxist)	Hammer, Sickle and Star
9.	Sibdas Mukherjee	10, R. N. Tagore Road, P.O. Krishnagar, P.S. Kotwali, Dist. Nadia	Indian National Congress	Hand
10.	Samir Banerjee	Station Duleypara Lane, P.O. Krishnagar, P.S. Kotwali, Dist. Nadia	Communist Party of India (Marxist-Leninist) (Liberation)	Ladder
11.	Subrata Kumar Biswas	C/o Tinkari Dutta, Hatarpara, P.O. Krishnagar, P.S. Kotwali, Dist. Nadia	Independent	Axe

Krishnagar
6th April, 1996

Sd/-
Returning Officer

76—KRISHNAGAR WEST ASSEMBLY CONSTITUENCY

1.	Amarendra Majumdar	Vill. Sadhanpara, P.O. Bahirgachhi, P.S. Dhubulia, Dist. Nadia	Independent	Boat
2.	Abul Quasem	28/7B, C. N. Roy Road, P.O. Tiljala, P.S. Tiljala, South, 24 Parganas	Independent	Lock and Key
3.	Gadadhar Ghosh	C/o. Bhudev Ghosh, Vill. Mangala Para Sarat Sarani, P.O. Krishnagar, P.S. Kotwali, Dist. Nadia	Bharatiya Janata Party	Lotus
4.	Sri Benode Behari Sikder	Vill. Dhubulia House No. 23/12 (239), P.O. Dhubulia, P.S. Dhubulia, Dist. Nadia	Bahujan Samaj Party	Elephant
5.	Biswarup Mukherjee	Chasapara, P.O. Krishnagar, P.S. Kotwali, Dist. Nadia	Indian National Congress	Hand
6.	Rekha Roy	Vill. West Jagadanandapur, P.O. Bethuadahari, P.S. Nakashipara, Dist. Nadia	Shivsena	Bow and Arrow
7.	Sunil Kumar Ghosh	Vill. Harishpur, P.O. Krishnagar, P.S. Kotwali, Dist Nadia,	Communist Party of India (Marxist)	Hammer, Sickle and Star
8.	Subimal Sengupta	Vill. Kanthal Bagan, P.O. Dhubulia, P.S. Dhubulia, Dist. Nadia	Communist Party of India (Marxist-Leninist) (Liberation)	Ladder

Krishnagar
6th April, 1996

Sd/-
Returning Officer

77—NABADWIP ASSEMBLY CONSTITUENCY

1.	Atanu Banerjee	Dearapara Road, P.O. Nabadwip, Dist. Nadia	Bharatiya Janata Party	Lotus
2.	Kartik Chatterjee	Alania Shibtala Road, P.O. Nabadwip, Dist. Nadia	Indian National Congress	Hand
3.	Biswanath Mitra	Nandipara Road, P.O. Nabadwip, Dist. Nadia	Communist Party of India (Marxist)	Hammer, Sickle and Star.

Krishnagar
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		78—SANTIPUR ASSEMBLY CONSTITUENCY		
1.	Ajoy De	21, Subol Podder Lane, P S Santipur, Nadia	Indian National Congress	Hand
2.	Bimalananda Mukherjee	20, Chhidam Mudi Lane, Calcutta 700 006	Revolutionary Communist Party of India (Rasik Bhat)	Bi-Cycle
3.	Manmohan Sarkar	Ambedkar More, P.O. Santipur, Nadia	Independent	Aeroplane
4.	Malay Kumar Pramanik	Krishna Ballav Pramanik Street, P O. Santipur, Nadia	Bharatiya Janata Party	Lotus
5.	Sachindranath Bhattacharya	Boincha Basak Para, P.O. Boincha, Nadia	Independent	Rising Sun

Ranaghat
6th April, 1996

Sd/-
Returning Officer

		79—HANSKHALI (S.C.) ASSEMBLY CONSTITUENCY		
1.	Nayan Sarkar	Gobindapur Colony, P O Hanskhali, P S Hanskhali, Dist. Nadia	Communist Party of India (Marxist)	Hammer, Sickle and Star
2	Biswas Shashanka Shekhor	Bagula Madhyapara, P O Bagula, P.S Hanskhali, Dist Nadia	Indian National Congress	Hand
3.	Monoranjan Pandit	Radhakanta Pur, P.O. Byaspur, Dist. Nadia	Independent	Bow and Arrow
4	Prof. Samar Chandra Ray	Bagula Collegepara, P.O Bagula, Dist. Nadia	Bahujan Samaj Party	Elephant
5.	Supravat Biswas	Dafor Pota, P O. Bhimpur, P S Kotowali, Dist. Nadia	Bharatiya Janta Party	Lotus

Ranaghat
6th April, 1996

Sd/-
Returning Officer

		80—RANAGHAT EAST (S.C.) ASSEMBLY CONSTITUENCY		
1.	Akhil Kumar Majumder	Vill Anantapur, P.O. Uzirpukuria, P.S. Dhantala, Dist Nadia	Indian National Congress	Hand
2.	Ananda Mandal	Vill Daluabari, P O. Daluabari, P S Dhantala, Dist Nadia	Independent	Rising Sun
3.	Dipak Sarkar	153, Kirtinagar Colony, P O Ranaghat, P.S. Ranaghat, Dist. Nadia	Independent	Apple
4.	Dhiman Biswas	Vill. Harishpur, P.O. Ainsmali, P.S. Dhantala, Dist. Nadia	Bahujan Samaj Party	Elephant
5.	Bichitra Biswas	Vill Kamargaria, P.O Hummapota, P.S. Dhantala, Dist. Nadia	Independent	Boat
.	Binay Krishna Biswas	Bagula Puratan Para, P.O Bagula, P S. Hanskhali, Dist Nadia	Communist Party of India (Marxist)	Hammer, Sickle and Star
7.	Manindranath Bala	Vill. Uttar Dhakuria, P.O. Ghola, P.S Ranaghat, Dist. Nadia	Bharatiya Janata Party	Lotus

Ranaghat
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		81—RANAGHAT WEST CONSTITUENCY		
1.	Abani Bhusan Mitra	Vill. + P.O. Debagram, P.S Ranaghat, Nadia	Independent	Bicycle
2.	Amal Krishna Roy	Birnagar Dakshinpara Ward No.1, P.S. Ranaghat, Nadia	Bahujan Samaj Party	Elephant
3.	Chattopadhyay Dilip	Courtpara, Ranaghat, Nadia	Bharatiya Janata Party	Lotus
4.	Nag Sourendra Nath	3, Dwarika Nath Mullick Lane, P. O. Ranaghat, Dist Nadia	Communist Party of India (Marxist)	Hammer, Sickle & Star
5.	Sankar Singha	Vivekananda Pally, Singher Bagan Chakdaha, Nadia	Indian National Congress	Hand
6.	Sunil Biswas	Vill. Palitpara, P. O Birnagar, Ward No. 14 Nadia	Independent	Bow and Arrow
7.	Swapan Ghosh	Milan Bagan Para, Ramnagar, P. O. Ranaghat, Nadia	Independent	Clock

Ranaghat
6th April, 1996

Sd/-
Returning Officer

		82—CHAKDAHA ASSEMBLY CONSTITUENCY		
1.	Umesh Singh	15(S), B-3, Kalyani, Nadia	Independent	Rising Sun
2.	Chatterjee Pranab Kumar	B-1/217, Kalyani, Nadia	B.J.P	Lotus
3.	Balai Chandra Mandal	B-13/94, Kalyani, Nadia	Independent	BiCycle
4.	Ramani Mohan Sarkar	B-1/25(S), Kalyani, Nadia	B.S.P	Elephant
5.	Satya Sadhan Chakraborty	Salt Lake, Block-F. C, Srabani Abasan Block-S-2, Flat-3, Calcutta-91	C.P.I (M)	Hammer Sickle & Star
6.	Sukumar Sarkar	Uttar Ghoshpara, Chakdaha, Nadia	I.N.C.	Hand
7.	Sukharanjan Bhakta	Ward No-7, Subhas Nagar, Chakdaha, Nadia	Independent	Bow & Arrow

Kalyani
6th April, 1996

Sd/-
Returning Officer

		83—HARINGHATA CONSTITUENCY		
1.	Bijoy Saha	Raja Road, P. O. Krishnanagar, Dist. Nadia	Independent	Ladder
2.	Mili Hira	Shantinagar, P. O. Nona Chandanpukur, Dist. North 24-Parganas	C.P.I.(M)	Hammer, Sickle Star
3.	Ratna Ghosh	Madhpur, Majherpara, P. O. Mollabelia, Dist. Nadia	I.N.C.	Hand
4.	Shyamal Basu	Uttar Rajapur, P. O. Mollabelia, Dist. Nadia	B.S.P.	Elephant
5.	Sukalyan Ray	Rasullapur, P. O. Dewli, Dist. Nadia	B.J.P.	Lotus

Kalyani
6th April, 1996

Sd/-
Returning Officer

		84 BAGDAH (S.C.) CONSTITUENCY		
1.	Ashim Biswas	Vill. & P. O. Tangra Colony, Dist. North 24-Parganas	Amra Bangali	Rising Sun

1	2	3	4	5
2.	Kamalakshi Biswas	Vill-Baljdapukur, P. O. Beara, North 24-Parganas	All India Forward Bloc	Lion
3.	Kalidas Adhikary	Vill. & P. O. Bagdah, Dist. North 24-Pargans	Indian National Congress	Hand
4.	Kishore Biswas	Vill : Dhoramari, P. O. Boaldaha, Dist. North 24-Parganas	Bharatiya Janata Party	Lotus
5.	Gouranga Bala	Vill. & P. O. Beara, Dist. North 24-Parganas	Bahujan Samaj Party	Elephant
6.	Jnanendra Nath Biswas	34/2,U.K. Dutta Rd., Dum-Dum Cantonment, Calcutta-700028	Independent	Drum
7.	Tarasankar Kirtania	Vill : Tegharia, P. O. Helencha, Dist. North 24-Parganas	Independent	Bow and Arrow

Bongaon
6th April, 1996

Sd/-
Returning Officer

85--BONGAON (SC.) ASSEMBLY CONSTITUENCY

1.	Ajoy Ghosh	Railbazar, Bongaon, North 24-Parganas	Bharatiya Janata Party	Lotus
2.	Pankaj Ghosh	Barrackpur Sripally, North 24-Parganas	Communist Party of India (Marxist)	Hammer, Sickle & Star
3.	Phanindra Nath SiKdar	Vill. Nayakamargram, P.O. Bongaon, North 24-Parganas	Bahujan Samaj Party	Elephant
4.	Bishweshwar Mondal	Vill. Ramchandrapur, P.O. Chhaigharia, North 24-Parganas	Amra Bangali	Rising Sun
5.	Bhupendra Nath Seth	Vill. Simultala, P.O. & P.S. Bongaon, North 24-Parganas	Indian National Congress	Hand

Bongaon

6th April, 1996

Sd/-
Returning Officer

86—GAIGHATA (SC.) ASSEMBLY CONSTITUENCY

1.	Arabinda Biswas	Vill. Mondalpara P.O. Motiadham, Dist. North 24-Parganas	B.J.P.	Lotus
2.	Krishnapada Das	Vill. Barnaberia (Manasatala) P.O. Barnabeia, Dist. North 24-Parganas	Independent	Hurricane Lamp
3.	Debapriya Majumder (Dipu)	Vill. Baikara, P.O. Baikara, Dist. North 24-Parganas	Independent	Two Leaves
4.	Prabir Banerjee	Vill. Udayrajpur (Madhyapara), P.O. Udayrajpur, Dist. North 24-Parganas	I.N.C	Hand
5.	Bikas Biswas	Vill. Sabaipur (Goalbathan) P.O. Goalbathan, Dist. North 24-Parganas	Amra Bangali	Rising Sun
6.	Manmatha Roy	Vill. Sonatikari P.O. Chandpara Bazar, Dist. North 24-Parganas	C.P.I.(M)	Hammer, Sikle & Star
7.	Manindra Nath Biswas	Vill. Uttar Simulpur P.O. Thakurnagar, Dist. North 24-Parganas	B.S.P	Elephant
8.	Rabin Biswas	Vill. Amkola (S.U.C.I. Party Office) P.O. Gaighata, Dist. North 24-Parganas	Independent	Bicycle

1	2	3	4	5
9.	Sashikanta Giri	Vill. Uttar Bakchara P.O. Baikara, Dist. North 24-Parganas	Independent	Bow & Arrow

Bongoan
6th April, 1996

Sd/-
Returning Officer

87—HABRA (SC.) ASSEMBLY CONSTITUENCY

1.	Ata Saharab Uddin	Vill. Dogachhia P.O. Beliaghata Bridge P.S. Deganga, Dist. North 24 Parganas	Indian National League	Ladder
2.	Abdul Hamid Mandal	Vill. Panchghoria P.O. Kumrakashipur, Dist. North 24 Parganas	Indian National Congress	Hand
3.	Tapan Saha	Vill. & P.O. Banipur, North 24 Parganas	Shivsena	Bow & Arrow
4.	Pronati Biswas	Vill. & P.O. Ghoshpur Subhashpally, Dist. North 24-Parganas	Bahujan Samaj Party	Elephant
5.	Baren Basu	North Bireshpally, Ward No.21, Madhyamgram, P.O. Madhyamgram, Dist. North 24-Parrganas	Communist Party of India (Marxist)	Hammer Sickle & Star
6.	Biswajit Das	Vill. Satpur P.O. Maslandapur P.S. Habra, North 24-Parganas	Independent	Rising Sun
7.	Sankar Ghosh	S.U.C.I Office, Vill. North Habra Badamtala, P.O. Habra, Dist. North 24-Parganas	Independent	BiCycle
8.	Samarendra Chakrabarty	Vill. Prafullanagar, P.O. Habra-Prafullanagar, North 24-Parganas	Bharatiya Janata Party	Lotus
9.	Sirajul Hoque	Vill. Kuchamore, P.O. Debalaya, North 24-Parganas	Muslim League	Clock

Barasat
5th April, 1996

Sd/-
Returning Officer

88—ASHOKENAGAR (SC.) ASSEMBLY CONSTITUENCY

1.	Anima Basu	7/1, Babutala Road, Calcutta-700074	Shivsena	Bow & Arrow
2.	Angshumali Barai	A-G Colony, P.O. Maniktala, Dist. North 24-Parganas	Bahujan Samaj Party	Elephant
3.	Keshab Bhattacharyya	358/8 Ashokenagar, P.O. Ashokenagar P.S. Habra, Dist. North 24-Parganas	Independent	Rising Sun
4.	Dipak Kumar Debnath	S.U.C.I Office, Badamtala, Vill. North Habra, P.O. Habra, Dist. North 24-Parganas	Independent	Bicycle
5.	Dhiman Roy	Vill. Hijalpukuria (Batpara) P.O. Hijalpukuria P.S. Habra, Dist. North 24-Parganas	Indian National Congress	Hand
6.	Nirode Roy Choudhury	Utter Habra, P.O. Habra, Dist. North 24-Parganas	Communist Party Of India (Marxist)	Hammer, Sickle & Star
7.	Basudeb Chanda	412/8 Kalyangarh, P.O. Kalyangarh, Dist. North 24-Parganas	Bharatiya Janata Party	Lotus
8.	Biswajit Chakarabarty	771/2, Ashokenagar P.O. Ashokenagar P.S Habra, Dist. North 24-Parganas	Independent	Two Leaves
9.	Birendra Das	Vill. Ramprasad Colony (Guma-II) P.O. Guma, P.S Habra, Dist. North 24-Pgs.	Independent	Boat

1	2	3	4	5
10.	Ratan Sadhukhan	Vill. Habra Bazer (Shyam Market) P.O. Habra, Dist. North 24-Parganas	Independent	Drum
11.	Haripada Ghosh	Vill. Kuchulia, P.O. Nackpul Via Gobardanga, P.S. Habra, Dist North 24-Parganas.	Independent	Axe
12.	Hironmoy Mukherjee	House No. 64/1, Ashokenagar, P.O. Ashoknagar, P.S. Habra, Dist. North 24-Parganas	Independent	Ladder

Barasat
6th April, 1996

Sd/-
Returning Officer

89—AMDANGA ASSEMBLY CONSTITUENCY

1.	Balai Basu	326/2, Ashoknagar, P.O. Ashoknagar, Dist. North 24-Parganas	Bharatiya Janata Party	Lotus
2.	Mihir Chatterjee	Vill. Shibalaya, P.O. Adi Kashimpur Via Duttapukur, North 24-Parganas	Independent	Bicycle
3.	Md. Rafiqul Islam	Vill. Khurigachi, P.O. Bodai, North 24-Parganas	Indian National Congress	Hand
4.	Hashim Abdul Halim	12-Kyd Street, Calcutta-6, Premises No. 12, 2nd Floor	Communist Party of India (Marxist)	Hammer, Sickle & Star

Barasat
6th April, 1996

Sd/-
Returning Officer

90—BARASAT ASSEMBLY CONSTITUENCY

1.	Ashoke Mukherjee (Gopal)	Swami Shibananda Road, Barasat, North 24-Parganas	Indian National Congress	Hand
2.	Utpal Chowdhury	Swamiji Park, Maichelnagar, North 24-Parganas	Shiv Sena	Bow & Arrow
3.	Kashiswar Sarkar	157/3, M. C. Garden Road, Calcutta-30	Bahujan Samaj Party	Elephant
4.	Saral Deb	Vill. & P.O. Udayrajpur, North 24-Parganas	All India Forward Bloc	Lion
5.	Swapan Paul	Vill. & P.O. Akrampur, P.S. Habra, North 24-Parganas	Bharatiya Janata Party	Lotus
6.	Harendra Poddar	Dakshin Nabapally, P.O. Nabapally, North 24-Parganas	Independent	Letter Box

Barasat
6th April, 1996

Sd/-
Returning Officer

91—RAJARHAT (S.C.) ASSEMBLY CONSTITUENCY

1.	Indrojit Pramanick	Nayapatti, P.O. Krishnapur, P.S. Bidhannagar, Dist. North 24-Parganas	Shivsena	Bow and Arrow
2.	Tanmoy Mondal	H/D-2/2, Nibas Apartment, Baguihati, Calcutta-59, (Baguipara) P.O. Ashwininagar, Dist. North-24 Parganas	Indian National Congress	Hand
3.	Profulla Chandra Molangi	Vill. Santimoynagar, P.O. Gouranganagar, P.S. Rajarhat, Dist. North 24-Parganas	Bahujan Samaj Party	Elephant

1	2	3	4	5
4.	Dr. Babu Chandra Bala	K/I-6, Ashwininagar, P.O. Ashwininagar, Dist. North 24-Parganas	Bharatiya Janata Party	Lotus
5.	Rabindra Nath Mandal	Vill. & P.O. Raghunathpur, P.S. Rajarhat, Dist. North 24-Parganas	Communist Party of India (Marxist)	Hammer, Sickle and Star

Barasat
6th April, 1996

Sd/-
Returning Officer

92—DEGANGA ASSEMBLY CONSTITUENCY

1.	Abul Kashem	Vill. Sandalia Purbapara, P.O. Sandalia, P.S. Barasat, North 24-Parganas	Indian National League	Ladder
2.	Idris Ali	5, Ripon Lane, Calcutta-16	Indian National Congress	Hand
3.	Md. Yakub	2/1, Bhukailash Road, Calcutta-23	All India Forward Bloc	Lion
4.	Pradip Banerjee	Vill. & P.O. Debalaya, P.S. Deganga, North 24-Parganas	Bharatiya Janata Party	Lotus
5.	Md. Liakat Ali	Vill. Ula, P.O. Chhoto Jagulia, P.S. Barasat, North 24-Parganas	Independent	Aeroplane
6.	Sekh. Md. Hafizul Islam	Vill. Islampur, P.O. Kadambagachi, P.S. Barasat, North 24-Parganas	Bahujan Samaj Party	Elephant
7.	A. K. M. Hassanuzzaman	2, Ripon Square, Calcutta-16	Muslim League	Two Leaves

Barasat
6th April, 1996

Sd/-
Returning Officer

93—SWARUPNAGAR ASSEMBLY CONSTITUENCY

1.	Abu Alam	Vill. Gopalpore, P.O. Barghoria, Dist. North 24-Parganas	Independent	Ladder
2.	Jayanta Saha	Vill. Malangopara, P.O. Swarupnagar, Dist. North 24 Parganas	Independent	Bicycle
3.	Dipti Jana	50, Thakurdas Sarani, Choudhuripara, P.S. Barasat, Dist. North 24-Parganas	Indian National Congress	Hand
4.	Byomkesh Chakrabarty	Vill. Nalabara, P.O. Sanrapul, Dist. North 24-Parganas	Amra Bangalee	Rising Sun
5.	Mostafa Bin Ouasam	Vill.& P.O. Nehalpor, Dist. North 24 Parganas	Communist Party of India (Marxist)	Hammer, Sickle & Star
6.	Ramkrishna Dey	Deshbandhu Park (South Habra), P.O. Habra, Dist. North 24-Parganas	Bharatiya Janata Party	Lotus

Basirhat
6th April, 1996

Sd/-
Returning Officer

94—BADURIA ASSEMBLY CONSTITUENCY

1.	Akhil Chakravarty	Vill. Baggola, P.O. Kalsur, Dist. North 24-Parganas	Independent	Bicycle
2.	Md. Asraff Ali	Vill. Sompur, P.O. Nayabastia, Dist. North 24-Parganas	Independent	Clock
3.	Quazi Abdul Gaffar	Vill. Rayberia, P.O. Jodurhati, Dist. North 24-Parganas	Indian National Congress	Hand

1	2	3	4	5
4.	Dipak Kumar Sarkar	Vill. & P.O. Polta, Dist. North 24-Parganas	Amra Bangalee	Rising Sun
5.	Pallab Choudhuri	Vill. & P.O. Rudrapore, Dist. North 24-Parganas	Bharatiya Janata Party	Lotus
6.	Safikul Sohaji	Vill. Singherati, P.O. Gabila, P.S. Deganga, Dist. North 24-Parganas	Indian National League	Ladder
7.	Md. Shelim	Vill. Kulia, P.O. Nayabastia, Dist. North 24-Parganas	Communist Party of India (Marxist)	Hammer, Sickle & Star

Basirhat •
6th April, 1996

Sd/-
Returning Officer

95—BASIRHAT ASSEMBLY CONSTITUENCY

1.	Anindya Gopal Mitra	60, Bancharam Akrur Lane, Calcutta-700 012	Bharatiya Janata Party	Lotus
2.	Amal Kumar Banerjee	Munsifpara, Basirhat	Independent	Two Leaves
3.	Amitesh De	Sainpala, Basirhat	Independent	Aeroplane
4.	Asit Majumdar	Sainpala (Jadu Nath Bose Road) Basirhat	Indian National Congress	Hand
5.	Narayan Mukherjee	Munsifpara, Basirhat	Communist Party of India (Marxist)	Hammer, Sickle & Star
6.	Mondal Noor Box	Bibipur (West) Begampur, P.S. Basirhat	Independent	Clock
7.	Molla Jafrulla	Haranagar, P.S. Nakasipara, Dist. Nadia	Indian National League	Ladder

Basirhat
6th April, 1996

Sd/-
Returning Officer

96—HASNABAD ASSEMBLY CONSTITUENCY

1.	Ashadur Zaman Mandal	Vill. & P.O. Hadipur, P.S. Deganga	Independent	Aeroplane
2.	Gautam Deb	Vill. & P.O. Taki, Dist. North 24-Parganas	Communist Party of India (Marxist)	Hammer, Sickle & Star
3.	Byomkesh Biswas	Vill. Sashina, P.O. Borojirakpur, P.S. Basirhat	Independent	Bicycle
4.	Rafikul Islam Mondal	Vill. Rajapur, P.O. Murarishah, P.S. Hasnabad	Indian National Congress	Hand
5.	Sukur Ali Mandol	Vill. Rajapur, P.O. Murarishah, P.S. Hasnabad	Indian National League	Ladder
6.	Sowkat Ali Dalal	Vill & P.O. Pifa, P.S. Basirhat	Independent	Boat
7.	Haldar Kundan	Vill. Amlani, P.O. Hasnabad	Independent	Boy and Girl
8.	Halder Debabrata	Vill. Kalutala, P.O. Rameswarpur, P.S. Hasnabad	Bharatiya Janata Party	Lotus

Basirhat
6th April, 1996

Sd/-
Returning Officer

97—HAROA (S.C.) ASSEMBLY CONSTITUENCY

1.	Kshiti Ranjan Mondal	Vill. & P.O. Sonapukur, Dist. North 24-Parganas	Communist Party of India (Marxist)	Hammer, Sickle & Star

1	2	3	4	5
2.	Lakshmi Kanta Mondal	Vill. Narayanpur, P.O. Sonapukur, Via. Bhangar, Dist. North 24-Parganas	Indian Natinal Congress	Hand
3.	Sarkar Arup	Vill. Kulgachi, P.O. & P.S. Haroa, Dist. North 24-Parganas	Independent	Bicycle
4.	Sujit Maity	Vill. & P.O. Chaital, P.S. Minakhan, Dist. North 24-Parganas	Bharatiya Janata Party	Lotus

Basirhat
6th April, 1996

Sd/-
Returning Officer

98—SANDESHKHALI (S.C.) ASSEMBLY CONSTITUENCY

1.	Ajoy Das	Vill. & P.O. Kanmari, Via. Nazat, P.S. Sandeshkhali, Dist. North 24-Parganas	Independent	Axe
2.	Kanti Biswas	94-A, Dr. Girindra Sekhar Basu Road, Calcutta-39	Communist Party of India (Marxist)	Hammer, Sickle & Star
3.	Dinabandhu Gayen	Vill. & P.O. Khulna, P.S. Sandeshkhali, Dist. North 24-Parganas	Bharatiya Janata Party	Lotus
4.	Ranajit Kumar Das	Vill. Rajhari, P.O. Agarati, P.S. Sandeshkhali, Dist. North 24-Parganas	Indian National Congress	Hand
5.	Radha Shyam Bir	Vill. Sukhdoani, P.O. Sukhdoani, P.S. Sadeshkhali, Dist. North 24-Parganas	Independent	Bicycle

Basirhat
6th April, 1996

Sd/-
Returning Officer

99—HINGALGANJ (S.C.) ASSEMBLY CONSTITUENCY

1.	Kayal Bidyut	Vill. & P.O. Malekanghamti, Dist. North 24-Parganas	Indian National Congress	Hand
2.	Gayen Nripen	Vill. Gobindakati, P.O. Sridharkati, Via. Hatgachha, P.S. Hingalganj, Dist. North 24-Parganas	Communist Party of Indian (Marxist)	Hammer, Sickle & Star
3.	Hajarilal Sarkar	Vill. Bagati, P.O. Bhabla, P.S. Basirhat, Dist. North 24-Parganas	Bharatiya Janata Party	Lotus

Basirhat
6th April, 1996

Sd/-
Returning Officer

100—GOSABA (S.C.) ASSEMBLY CONSTITUENCY

1.	Ganesh Mondal	Vill. & P.O. Paschim Radhanagar, South 24-Parganas	Revolutionary Socialist Party	Spade and Stoker
2.	Nirmal Sarkar	Vill & P.O. Satjelia, P.S. Gosaba, South 24-Parganas	Independent	Bicycle
3.	Prosad Mondal	Vill. Emlibari, P.O. Satjelia, P.S. Gosaba, South 24-Parganas	Independent	Ladder
4.	Sukumar Mondal	Vill. & P.O. Amlamethi, P.S. Gosaba, South 24-Parganas	Bharatiya Janata Party	Lotus
5.	Sujit Pramanik	Vill. Mathurakhanda, P.O. Amlamethi, P.S. Gosaba, South 24-Parganas	Indian National Congress	Hand

Canning
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		101—BASANTI (S.C.) ASSEMBLY CONSTITUENCY		
1.	Arabindu Halder	Vill. Matla 1 No. Bazar, P.O. Canning Town, South 24-Parganas	Bharatiya Janata Party	Lotus
2.	Kamal Krishna Mondal	Vill. Kalidanga P.O. Basanti, South 24-Parganas	Independent	Boat
3.	Jayanta Naskar	Vill. Bogulakhali P.O. Chunakhali P.S. Basanti South 24-Parganas	Indian National Congress	Hand
4.	Baidyanath Bar	Vill & P.O. Purba Bayarsingh South 24-Parganas	Independent	Bicycle
5.	Subhas Naskar	Dhananjoy Smriti Bhavan, P.O. & P.S. Basanti, South 24-Parganas	Revolutionary Socialist Party	Spade and Stoker

Canning
6th April, 1996

Sd/-
Returning Officer

		102—KULTALI (S.C.) ASSEMBLY CONSTITUENCY		
1.	Gopal Majhi	Vill. Madhusudanpur, P.O. 36 No. Hat, Dist. South 24 Pargs	INC	Hand
2.	Prabodh Purkait	Vill. Jhupkhali, P.O. Chuprijhara, Dist. South 24-Parganas	Independent	Bicycle
3.	Baidya Nath Haldar	Vill. Panchuakhali, P.O. Tangrabichi, Dist. South 24-Parganas	B.J.P.	Lotus
4.	Ramsankar Halder	Vill. Chuprijhara (Jhupkhali), P.O. Chuprijhara, Dist. South 24-Parganas	C.P.I. (M)	Hammer, Sickle & Star

Baruipur
6th April, 1996

Sd/-
Returning Officer

		103—JOYNAGAR ASSEMBLY CONSTITUENCY		
1.	Khalilur Rahaman Molla	P.O. & Vill. Banerjee Chak, Dist. South 24-Pgns	Muslim league	Ladder
2.	Gazi Jalal Uddin	Vill. North Thakurchak P.O. Thakurchak, Dist. South 24-Parganas	Independent	Aeroplane
3.	Gour Halder	Vill. Mukundapur, P.O. Dakshin Barasat, Dist. South 24-Parganas	Independent	Bow and Arrow
4.	Debatosh Acharya	P.O. & Vill. Dakshin Barasat, Dist. South 24-Pargns	B.J.P.	Lotus
5.	Deba Prasad Sarkar	Joynagar Raktakhan Para, P.O. Joynagar Mojilpur, Dist. South 24-Pargns	Independent	Bicycle
6.	Mrityunjoy Modak	Vill. Beliachandi, P.O. Gocharan, Dist. South 24-Parganas	Indian National Congress	Hand
7.	Rabindra Nath Basu (Rabi)	Mojilpur Haridas Dutta road P.O. Joynagar Mojilpur Dist. South 24-Parganas	C.P.I. (M)	Hammer, Sickle & Star

Baruipur
6th April, 1996

Sd/-
Returning Officer

		104—BARUIPUR ASSEMBLY CONSTITUENCY		
1.	Kazi Abdul Halim	Vill. Kumarhat, P.O. Kumarhat, Dist. South 24-Pargns	Independent	Aeroplane

1	2	3	4	5
2.	Debasis Chandra	10A, Mahamaya Lane, Calcutta-26	Independent	Boy and Girl
3.	Pradyot Chakraborty	Vill. Subuddhipur Dakshin Roy Palli P.O. Baruipur Dist. South 24-Parganas	Independent	Bicycle
4.	Viswa Naskar	Vill. Subuddhipur (Thai Para) P.O. Baruipur, Dist. South 24-Parganas	Independent	Spectacles
5.	Sobhan Deb Chattopadhyay	25A, Rup Narayan Nandan Lane, Calcutta-25	I.N.C.	Hand
6.	Sujan Chakraborty	Vill. Kalikapur P.O. Kalikapur Via. Champahati, Dist. South 24-Parganas	C.P.I. (M)	Hammer, Sickle & Star
7.	Hasi Sinha Roy	Nanisaha Roy Corner (Rakshitar More), P.O. Boral, Dist. South 24-Parganas	B.J.P.	Lotus

Baruipur
6th April, 1996

Sd/-
Returning Officer

105—CANNING WEST (S.C.) ASSEMBLY CONSTITUENCY

1.	Gobinda Chandra Naskar	Vill. & P.O. Gourdaha, P.S. Canning, Dist. South 24-Parganas	I.N.C.	Hand
2.	Dilip Biswas	Vill. Nabapalli P.O. Bansra, P.S. Canning, Dist. South 24-Parganas	B.J.P.	Lotus
3.	Bimal Mistry	Vill. & P.O. Champahati, P.S. Baruipur, Dist. South 24-Parganas	C.P.I. (M)	Hammer, Sickle and Star
4.	Santosh Kumar Naskar	Vill. Ghosherchak, P.O. Sastitala, P.S. Joynagar Dist. South 24-Parganas	Independent	Bicycle

Canning
6th April, 1996

Sd/-
Returning Officer

106—CANNING EAST ASSEMBLY CONSTITUENCY

1.	Akram Laskar	Vill. Dighirpar, P.O. Canning	I.N.C.	Hand
2.	Abdur Rahaman Jamadar	Vill. Dakshin Makaltala, P.O. Bansra	Independent	Bicycle
3.	Abdur Razzak Molla	Vill. Bankri P.O. Chandaneswar P.S Jhangore	C.P.I (M)	Hammer, Sickle And Star
4.	Abdus Sattar Molla	Vill. South Rajapur P.O. Bodra P.S Bhangore	Independent	Apple
5.	Ebrahim Molla	Vill. Kashinathpur, P.O. Chandaneswar, P.S. Bhangore	Independent	Coconut Tree Bearing Fruits
6.	Bhanu Pada Mondal	Vill. Dakshin Moukhali, P.O. Uttar Moukhali, P.S. Canning	B.J.P.	Lotus

Canning
6th April, 1996

Sd/-
Returning Officer

107—BHANGORE ASSEMBLY CONSTITUENCY

1.	Aziber Rahaman	Vill. & P.O. Hatishala Dist. South 24 Pargs	I.N.C.	Hand
2.	Kartick Ghosh	Vill. Joynagar Paschim Ghoshpara P.O. Shyamnagar P.S. Bhangar Dist. South 24-Pargs	B.J.P.	Lotus
3.	Chitta Ranjan Naskar	Vill. Mousal P.O. Tardaha P.S. Bhangore Dist. South 24-Pargs	Independent	Bicycle

1	2	3	4	5
4.	Nazrul Islam	Vill. & P.O. Krishnamati, South 24-Parganas	Independent	Jeep
5.	Badal Zamadar	Vill. & P.O. Uttar Kashipore, Dist. South 24-Parganas	C.P.I. (M)	Hammer, Sickle and Star

Baruipur
6th April, 1996

Sd/-
Returning Officer

108—JADAVPUR ASSEMBLY CONSTITUENCY

1.	Dr. Kakoli Ghosh Dastidar	79/28, Acharya J.C. Bose Road, Calcutta-700014	Indian National Congress	Hand
2.	Deboshmita Dey	48B, Harish Chatterjee Street, Calcutta-700026	Independent	Two Leaves
3.	Dhiresh Goswami	1, Circular Road, Kamarpara, Calcutta-700032	Communist Party of India (Marxist-Leninist) (Liberation)	Ladder
4.	Buddhadev Bhattacharjee	59A, Palm Avenue, Flat-I, (Ground Floor), Calcutta-700 029	Communist Party of India (Marxist)	Hammer, Sickle and Star
5.	Bhusan Mondal	Naskarhat, Dakshinpara, P.O. Tiljola, Calcutta-700 039	Independent	Hand Pump
6.	Rajat Roy	32, Brigi Road, Garia, Calcutta-700 084	Bharatiya Janata Party	Lotus
7.	Sandhya Mondal	2, Santoshpur West Road, P.S. Kasba, Calcutta-700075	Bahujan Samaj Party	Elephant
8.	Haradhan Sarkar	14, Swami Vivekananda Road, Calcutta-700032	Independent	Rising Sun

Alipur
6th April, 1996

Sd/-
Returning Officer

109—SONARPUR (S.C.) ASSEMBLY CONSTITUENCY

1.	Chinmoy Jodder	Vill. A.P. Nagar (Chandmari Math) P.O. Sonarpur, Dist. South 24-Parganas	Independent	Rising Sun
2.	Dipak Sardar	Vill. Gorkhara P.O. Sonarpur Dist. South 24-Parganas	A.I.I.C. (Tiwari)	Lady Woman Offering Flowers
3.	Nirmal Mondal	Vill. Garal, P.O. Pratapnagar, Dist. South 24-Parganas	I.N.C.	Hand
4.	Parimal Barui	Vill. Dhalua, P.O. Dhalua, Dist. South 24-Parganas	B.J.P.	Lotus
5.	Bhadreswar Mondal	Vill. Garagacha P.O. Garia, Dist. South 24-Parganas	C.P.I. (M)	Hammer, Sickle and Star
6.	Manindra Mridha	D/73, East Rajapur, P.S. Kasba, Calcutta-700075	Independent	Lock & Key

Baruipur
6th April, 1996

Sd/-
Returning Officer

110—BISHNUPUR EAST (S.C.) ASSEMBLY CONSTITUENCY

1.	Ananda Kumar Biswas	Vill. & P.O. Rashkhali, P.S. Bishnupur, Dist. 24-Parganas (South)	Communist Party of India (Marxist)	Hammer, Sickle and Star

1	2	3	4	5
2.	Mahadeb Naskar	Vill. & P.O. Gundhabaduli, P.S. Bishnupur, 24 Parganas (S)	Indian National Congress	Hand
3.	Samar Biswas	Vill. Ramkrishnapur P.O. Vanru Ramkrishnapur Via. Baruipur, Dist. 24-Parganas (S)	Independent	Two Leaves
4.	Susil Sardar	Vill. & P.O. Vanru Ramkrishnapur, Dist. 24-Parganas (S)	Bharatiya Janata Party	Lotus

Alipore
6th April, 1996

Sd/-
Returning Officer

111—BISHNUPUR WEST ASSEMBLY CONSTITUENCY

1.	Arun Ghosh Dastider	Daspara, P.O. Thakurpukur, Calcutta-700063	Indian National Congress	Hand
2.	Karunamoy Ghosh	Vill. Enayetnagar, P.O. Chak Enayetnagar, Dist. South 24-Parganas	Bharatiya Janata Party	Lotus
3.	Ganesh Mondal	Vill. Amtola (Natun Pally), P.O. Kannyanagar, P.S. Bishnupur, Dist. South 24-Parganas	Independent	Bow and Arrow
4.	Vivekananda Kar	Vill. Patharberia, P.O. Aryapara, P.S. Bishnupur, Dist. South 24-Parganas	Independent	Rising Sun
5.	Raghunath Roy	Hada Textile Colony, Qtr. No. 4/23, P.O. Bishnupur, Dist. South 24-Parganas	Independent	Boat
6.	Ramchandra Dey Sarkar	P-43, Motilal Gupta Road, Cal-700 008	Independent	Axe
7.	Sankar Saran Naskar	Vill. Uttar Kazirhat, P.O. & P.S. Bishnupur, Dist. South 24-Parganas	Communist Party of India (Marxist)	Hammer, Sickle and Star
8.	Samsuddin Mistry	Vill. Borhanpur, P.O. Sukdebpur, Dist. South 24-Parganas	Independent	Clock
9.	Subhas Manna	Vill. & P.O. Bawali, P.S. Nodakhali, Dist. South 24-Parganas	Muslim League	Ladder

Alipore
6th April, 1996

Sd/-
Returning Officer

112—BEHALA EAST ASSEMBLY CONSTITUENCY

1.	Ila Chakraborty	48/6, Banerjee Para Road, Calcutta-700041	Independent	Axe
2.	Kumkum Chakraborti	27/26, Mondal Para, Calcutta-700034	C.P.I. (M)	Hammer, Sickle and Star
3.	Krishna Dhan Chatterjee	P-235, Paschim Putiary colony, Calcutta-700041	B.J.P.	Lotus
4.	Biplab Halder	18, Netaji Subhas Road, Behala, Calcutta-700034	Shiv-Sena	Bow and Arrow
5.	Sonali Guha	11/A, Banerjee Para Road, Calcutta-41	I.N.C.	Hand

Alipore
6th April, 1996

Sd/-
Returning Officer

113—BEHALA WEST ASSEMBLY CONSTITUENCY

1.	Kumud Bhattacharjee	7/1, Roy Bahadur Road, Calcutta-34	Indian National Congress	Hand

1	2	3	4	5
2.	Gita Das	211A, Ho-Chi-Min Sarani, Sakuntala Park, Behala, Calcutta-61	C.P.I. (M-L) (Liberation)	Ladder
3.	Chanchal Hui	44, Pathakpara Road, Calcutta-60	Independent	Bicycle
4.	Debabrota Mukhopadhyay	26, Netaji Subhas Road, Calcutta 34	Shiv-Sena	Bow and Arrow
5.	Nathu Sharma	139/1, Bakhrahat road, Thakurpukur, Dist. South 24-Parganas	Independent	Rising Sun
6.	Nirmal Mukherjee	34/1, Ram Road, Calcutta-61	Communist Party of India (Marxist)	Hammer, Sickle & Star
7.	Panchu Gopal Mukherjee	33/1, A.J.C. Bose Road, Thakurpukur, Calcutta-63	Independent	Axe
8.	Satrughan Singh	1/1, C.P.T. Qurts. Transport Dept. Road, Calcutta-88	Independent	Boy and Girl
9.	Hari Krishna Dutta	127/2, Dr. A.K. Paul Road, Behala, Calcutta-34	Bharatiya Janata Party	Lotus

Alipore, Cal-27
6th April, 1996

Sd/-
Returning Officer

114—GARDEN REACH ASSEMBLY CONSTITUENCY

1.	S.M. Zafrullah	Z/3/519 Mistry Ghat Road, Calcutta-44	All India Indira Congress (Tiwari)	Lady Offering Flowers
2.	Fazle Azim Molla	Y-211, Kanthalberia Road, Calcutta-18	Indian National Congress	Hand
3.	Budhkaran Basotia	42C, Garden Reach Road, Calcutta-24	Bharatiya Janata Party	Lotus
4.	Mohammed Amin	151, Moharaja Nanda Kumar Road (North) Calcutta-35	Communist Party of India (Marxist)	Hammer, Sickle and Star
5.	Moynul Hoque Chowdhury	Z2/4/6, Nadial Village Road, Calcutta 44	Independent	Rising Sun
6.	Ramesh Dubey	42, Garden Reach Road, Cal-24	Independent	Boat
7.	Sekendar Ali Mollah	V-259, Kankhuli Road, Calcutta-18	Independent	Two Leaves

Alipore
6th April, 1996

Sd/-
Returning Officer

115—MAHESTALA ASSEMBLY CONSTITUENCY

1.	Dr. Gouranga Mukherjee	P.O. & Vill. Mahestala, Dist. South 24-Parganas	Indian National Congress	Hand
2.	Phula Devi Kahar	Block No. 74/1/6 Unit No. 7 Garden Reach Road, S.E. Railway Staff Quarter, Calcutta-43	Independent	Rising Sun
3.	Mursalin Molla	Akra Puratan Bazar, P.O. Jagannath Nagar, Via. Batanagar, Dist. South 24-Parganas	Communist Party of India (Marxist)	Hammer, Sickle and Star
4.	Somen Das	Nangi Station Pally, P.O. Batanagar, P.S. Mahestala, Dist. South 24-Parganas	Bharatiya Janata Party	Lotus
5.	Solaman Khan	Vill. & P.O. Chandannagar, P.S. Mahestala, Dist. South 24-Parganas	Muslim League	Ladder

Alipore
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		116—BUDGE BUDGE ASSEMBLY CONSTITUENCY		
1.	Ashok Kumer Deb	17, Scott Lane, Calcutta-9	Indian National Congress	Hand
2.	Ashok Bhattacharjee	Chandra Nath Roy Road, Premises No. 1/N, Flat No. 11, Calcutta-39	Bharatiya Janata Party	Lotus
3.	Ismail Mollick	Shankpukur, P.O. Budge Budge, Dist. South 24-Parganas	Muslim League	Ladder
4.	Dipak Mukherjee	97, Gangarampur Road, P.O. Maheshtala, Dist. South 24-Parganas	Communist Party of India (Marxist)	Hammer, Sickle and Star
5.	Subir Bhattacharya	3/4A, Gorachand Bose Road, Calcutta-6	Independent	Axe

Alipore
6th April, 1996

Sd/-
Returning Officer

		117—SATGACHIA ASSEMBLY CONSTITUENCY		
1.	Dr. Abhijit Ghose	Block-B, Flat No. 5/3 Purbasha Housing Estate, 160, Manicktala Main Road, Calcutta-700 054	Independent	Rising Sun
2.	Dr. Abdul Ajij	Vill. & P.O. Chak-Kashipur, P.S. Nodakhali, Via. Birlapur, South 24-Parganas	Muslim League	Ladder
3.	Ghosh Timir Baran	86/2, Haldarpara Road, Budge Budge, South 24-Parganas	Independent	Bicycle
4.	Jyoti Basu	Indira Bhaban, Block-DE, Salt Lake, Calcutta-64	Communist Party of India (Marxist)	Hammer, Sickle and Star
5.	Bag Chittaranjan	160, Baitakkhana Road, Calcutta-9	Indian National Congress	Hand
6.	Madan Mohan Das	Vill. Chakbansberia, P.O. Dongaria, Via. Birlapur, P.S. Nodakhali, South 24-Parganas	Shiv Sena	Bow and Arrow
7.	Muzaffar Khan	38, Market Street, Calcutta-700 087	Bharatiya Janata Party	Lotus
8.	Shyamal Das	59/1, Becharam Chatterjee Road, P.S. Behala, Calcutta-700034	independent	Aeroplane
9.	Swapan Dey	4, Gobinda Auddy Road, Calcutta-700 027	Independent	Axe

Alipore
6th April, 1996

Sd/-
Returning Officer

		118—FALTA ASSEMBLY CONSTITUENCY		
1.	Aynaddin Mollick	Vill. Kalsa, P.O. Makhna, Dist. South 24-Parganas	Independent	Rising Sun
2.	Arati Dasgupta	27A, Baker Road, Flat No. 5B, 5th Floor, Calcutta-27	C.P.I. (M)	Hammer, Sickle and Star
3.	Arfat Ali Laskar	Vill. Uttar Kuleswar, P.O. Kuleswar, Dist. South 24-Parganas	Samata Party	Flaming Torch
4.	Gofur Mollick	Vill. Ghanashyampur, P.O. Banganagar, Dist. South 24-Parganas	Independent	Two Leaves
5.	Monoranjan Kayal	Vill. Goanara, P.O. Goanara Gobindapur, Dist. South 24-Parganas	B.J.P	Lotus

1	2	3	4	5
6.	M.A. Sattar Laskar	Vill & P.O. Usthi, Dist. South 24-Parganas	Independent	Ladder
7.	Sudhir Bhattacharjee	Vill. paikan,, P.O. Burul, Dist. South 24-Parganas	I.N.C	Hand
8.	Sunirmal Kayal	Vill. Paschim Daulatpur, P O. Burul Via Birlapur, Dist. South 24-Parganas	Independent	Bow and Arrow
9.	Hasibur Rahaman	Vill. & P.O. Jafarpur, Dist. South 24-Parganas	Independent	Car

Diamond Harbour
6th April, 1996

Sd/-
Returning Officer

119—DIAMOND HARBOUR ASSEMBLY CONSTITUENCY

1.	Ajit Mandal	Vill. Diamond Harbour (Near Water Tank), P.O. Diamond Harbour, Dist. South 24-Parganas	B.J.P	Lotus
2.	Abdul Quiyom Molla	Vill. Molla Pukharia, P. O. Patra, Dist. South 24-Parganas	C.P.I (M)	Hammer, Sickle and Star
3.	Giasuddin Molla	Vill. Majher Ghoradal, P.O Ghoradal, Dist. South 24 Parganas	Independent	Two Leaves
4.	Pranab Das Gupta	Vill. Madhabpur, Roypara, P.O. Diamond Harbour, Dist. South 24-Parganas	Independent	Bicycle
5.	Bata Krishna Mistri	Vill. Harindanga, P.O. Diamond Harbour, Dist. South 24-Parganas	Independent	Rising Sun
6.	Mondal Md. Nahabubar Rahaman	Vill. Panchsata, P.O. Sarisha, Dist. South 24-Parganas	Independent	Ladder
7.	Sheikh Daulat Ali	Vill. Patdaha, P.O. Kamarpole. Via. Sarisha, Dist. South 24-Parganas	I.N.C.	Hand
8.	Srigopal Das	Vill. Puratan Bazar, P.O. Diamond Harbour, Dist. South 24-Parganas	Independent	Bow and Arrow

Diamond Harbour
6th April, 1996

Sd/-
Returning Officer

120—MAGRAHAT WEST ASSEMBLY CONSTITUENCY

1.	Anuradha Putatunda	3/76, Viveknagar, Cal-75	C.P.I. (M)	Hammer, Sickle and Star
2.	Abdur Razzak Laskar	Vill. Mahamudpur, P.O. Magrahat, Dist. South 24-Parganas	Independent	Ladder
3.	Abu Siddique Laskar	Vill. & P.O. Uttar Kusum, Dist. South 24-Parganas	Independent	Apple
4.	Abul Basar Laskar	Vill. & P.O. Uttar Kusum, Dist. South 24-Parganas	I.N.C.	Hand
5.	Abdur Rouf Baidya	Vill. & P.O. Usthi, Dist. South 24-Pgs.	Independent	Bicycle
6.	Imam Ali Halder	Vill. & P.O. Uttar Kusum, Dist. South 24-Parganas	Independent	Two Leaves
7.	Kumar Krishna Mondal	Vill. Amratala, P.O. Haranandapur, Dist. South 24-Parganas	B.J.P.	Lotus
8.	Khan Sarwaruddin	Vill. Jahangirgarh, P.O. Kensily, Dist. South 24-Parganas	Independent	Axe

1	2	3	4	5
9.	Firoz Hossain	Vill. Gorijala, P.O. Dhanyaghata. Dist. South 24-Parganas	Independent	Hurricane Lamp
10.	Molla Abul Kalam	Vill. Kachua, P.O. Kalikapota, Dist. South 24-Parganas	A.I.I.C. (T)	Lady Offering Flower
11.	Lakhindar Mandal	Vill. Rajarampur, P.O. Sitalatala Rajarampur, Dist. South 24-Parganas	Independent	Boat
12.	Laskar Riajul Haque	Vill. Ghola Noapara, P.O. Usthi, Dist. South 24-Parganas	Independent	Chair
13.	Sk. Golam Mostafa	Vill. & P.O. Shirakole, Dist. South 24-Parganas	Independent	Rising Sun

Diamond Harbour
6th April, 1996

Sd/-
Returning Officer

121—MAGRAHAT EAST (S.C.) ASSEMBLY CONSTITUENCY

1.	Anukul Bar	Vill. Kantapukuria, P.O. Urel Chandpur, Dist. South 24 Parganas	Independent	Bicycle
2.	Tapan Kumar Gharami	Vill. Sathati, P.O. Maheswara, Dist. South 24 Parganas	Independent	Rising Sun
3.	Namita Saha	Vill. Baniberia, P.O. Multi, Dist. South 24 Parganas	I.N.C.	Hand
4.	Dr. Nirmal Sinha	Vill. & P.O. Chak Paran Kantakhal, Dist. South 24 Parganas	C.P.I. (M)	Hammer, Sickle and Star
5.	Prabir Naskar	Vill. Tapukur, P.O. Hotar, Dist. South 24 Parganas	B.J.P.	Lotus

Diamond Harbour
6th April, 1996

Sd/-
Returning Officer

122—MANDIRBAZAR (S.C.) ASSEMBLY CONSTITUENCY

1.	Chaitanya Mohan Jatua	Vill. Swethpukuria, P.O. Nayabad, Rajpur, Dist. South 24 Parganas	B.J.P.	Lotus
2.	Dr. Tapan Sardar	Vill. Subuddhipur Beltala, (Naskar Para), P.O. Baruipur, Dist. South 24 Parganas	I.N.C.	Hand
3.	Nikunja Paik	Vill. Anchna Paik Para, P.O. Anchna, Dist. South 24 Parganas	C.P.I. (M)	Hammer, Sickle and Star
4.	Renupada Halder	Vill. Kuldia, P.O. Chaitanyapur, Dist South 24 Parganas	Independent	Bicycle

Diamond Harbour
6th April, 1996

Sd/-
Returning Officer

123—MATHURAPUR ASSEMBLY CONSTITUENCY

1.	Anadi Naskar	Vill & P. O. Raidighi, Dist. South 24 Parganas	B.J.P.	Lotus
2.	Kanti Bhusan Gangopadhyay	P-9, Panchya Sayar, Calcutta-84	C.P.I. (M)	Hammer, Sickle and Star
3.	Provanjan Naskar	Vill. Gilarchat Bhadrapara, Dist. South 24 Parganas, P.O. Kayaler Chak	Independent	Rising Sun
4.	Satya Ranjan Bapuli	Mathurapur, Dist. South 24 Parganas	I.N.C	Hand

1	2	3	4	5
5.	Sahadeb Naskar	Vill. & P. O. Radhakantapur, Dist. South 24 Parganas	Independent.	Bicycle

Diamond Harbour
6th April, 1996

Sd/-
Returning Officer

124—KULPI (S.C.) ASSEMBLY CONSTITUENCY

1.	Kirtibas Sarder	Vill. Ampole, P.O. Gazipur, Dist. South 24 Parganas	I.N.C.	Hand
2.	Dhananjay Halder	Vill. Tulshir Chak, P.O. Shyam Basur Chak, Via. Kulpi, Dist. 24 Parganas	Independent	Bow and Arrow
3.	Bhola Nath Mondal	Vill. Sasapara, P.O. Joynagar Majilpur, Dist. South 24 Parganas	Independent	Bicycle
4.	Jogaranjan Halder	Vill. & P.O. Ramkrishnapur, Dist. 24 Parganas	Independent	Rising Sun
5.	Sakuntala Paik	Vill. & P.O. Karanjali, Dist. South 24 Parganas	C.P.I. (M)	Hammer, Sickle and Star
6.	Subhas Saha	Vill. & P.O. Kulpi, Dist. South 24 Parganas	B.J.P.	Lotus

Diamond Harbour
6th April, 1996

Sd/-
Returning Officer,

125—PATHARPRATIMA ASSEMBLY CONSTITUENCY

1.	Kumar Prasad Parui	Vill. & P.O. Gurudaspur, Dist. South 24 Parganas	Bharatiya Janata Party	Lotus
2.	Gopal Krishna Dey	7, Sreepur 2nd Lane, Calcutta-78	Indian National Congress	Hand
3.	Janmejay Manna	Vill. & P.O. Kamdevpur, Dist. South 24 Parganas	Communist Party of India (Marxist)	Hammer, Sickle and Star
4.	Phani Bhusan Guchait	Vill. Madhavnagar, P.O. M. Durgagobindapur, Dist. South 24 Parganas	Independent	Bicycle

Kakdwip
6th April, 1996

Sd/-
Returning Officer

126—KAKDWIP ASSEMBLY CONSTITUENCY

1.	Amiya Sasmal	Vill. Ganeshpur (3rd Gheri, North), P.O. Kakdwip, P.S. Kakdwip, Dist. South 24 Parganas	Independent	Bicycle
2.	Ashok Giri	Vill. Dakshin Gobindapur, P.O. Kakdwip, P.S. Kakdwip, Dist. South 24 Parganas	C.P.I. (M)	Hammer, Sickle and Star
3.	Chittaranjan Sahu	Vill. Narayanpur, P.O. Namkhana, P.S. Kakdwip, Dist. South 24 Parganas	Independent	Rising Sun
4.	Mantu Ram Pakhira	Vill. Bamanagar, P.O. Bamanagar, P.S. Kakdwip, Dist. South 24 Parganas	I.N.C.	Hand
5.	Santi Das	Vill. Ganeshpur, Nayapara (North), P.O. Kakdwip, P.S. Kakdwip, Dist. South 24 Parganas	C.P.I. (ML) (Liberation)	Ladder
6.	Satya Maity	Vill. Bishalaxmipur, P.O. Bishalaxmipur, P.S. Kakdwip, Dist. South 24 Parganas	B.J.P.	Lotus

1	2	3	4	5
7.	Swadesh Maity	Vill. Gobindarampur, P.O. Gobindarampur, P.S. Kakdwip, Dist. South 24 Parganas	Independent	Apple
8.	Haradhan Bera	Vill. Kalinagar, Purba Gangadharpur, P.O. Kakdwip Kalinagar, P.S. Kakdwip, Dist. South 24 Parganas	Independent	Two Leaves

Kakdwip
6th April, 1996

Sd/-
Returning Officer

127—SAGAR ASSEMBLY CONSTITUENCY

1.	Aswini Das	Vill. Collectorganj, P.O. Muniganga. P.S. Sagar, Dist. South 24 Parganas	B.J.P.	Lotus
2.	Dilip Pramanik	Vill. Uttar Shibpore, P.O. Maharajganj, P.S. Namkhana, Dist. South 24 Parganas	Independent	Rising Sun
3.	Narayan Das	Vill. Khasramkar, P.O. Khasramkar, P.S. Sagar, Dist. South 24 Parganas	Independent	Lock and Key
4.	Prativa Mishra	Vill. & P.O. D/Chandranagar, P.S. Namkhana, Dist. South 24 Parganas	Independent	Bicycle
5.	Prabhanjan Mondal	Vill. Khansahab Abad, P.O. Khansahab Abad, P.S. Sagar, Dist. South 24 Parganas	C.P.I. (M)	Hammer, Sickle and Star
6.	Haripada Sen	Vill. Harinbari, P.O. Harinbari, P.S. Sagar, Dist. South 24 Parganas	I.N.C.	Hand

Kakdwip
6th April, 1996

Sd/-
Returning Officer

128—BIZPUR ASSEMBLY CONSTITUENCY

1.	Kamal Sengupta (Basu)	Sodepur Govt. L.I.G. Housing Estate, Block-A, Flat-6	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Jagadishwar Singh	30, Ghoshpara Road, P.O. Hazinagar, Dist. North 24 Pgs.	Bharatiya Janata Party	Lotus
3.	Bela Dubey	318/B, City Bazar Road, P.O. Kachrapara, North 24 Pgs	Independent	Rising Sun
4.	Mrinal Kanti Singha Roy	P/16/D Railway Quarter Dangapara, P.O. Kanchrapara	Indian National Congress	Hand
5.	Shibapada Biswas	Halisahar East Kabirajpara, Battala, P.O. Hazinagar, North 24 Pgs	Bahujan Samaj Party	Elephant

Barrackpore
6th April, 1996

Sd/-
Returning Officer

129—NAIHATI ASSEMBLY CONSTITUENCY

1.	Adhikary Tarun	231, Rishi Bankim Chandra Road, Naihati	Indian National Congress	Hand
2.	Ashutosh Baul	6 No. Bijoynagar, Naihati, (N) 24-Pgs.	Bharatiya Janata Party	Lotus
3.	Mina Pal	Bx-III Govt. Housing Estate, 193 Andul Road, Howrah-9	Communist Party of India (ML) (Liberation)	Ladder
4.	Moti Chand Prasad	Holding No. 35, Gali No. 19, Jagaddal, North 24 Parganas	Independent	Rising Sun

1	2	3	4	5
5.	Ranjit Kundu	88 Arabinda Road, Naihati, North 24 Parganas	Communist Party of India (Marxist)	Hammer, Sickle and Star
6.	Ramchandra Mondal	Vill. Khasbati, P.O. Malancha, North 24 Parganas	Bahujan Samaj Party	Elephant

Barrackpore
6th April, 1996

Sd/-
Returning Officer

130—BHATPARA ASSEMBLY CONSTITUENCY

1.	Arjun Chawhan	14/6, North Pal Ghat Rd., P.O. Jagatdal, North 24 Pgs	Independent	Axe
2.	Uma Sankar Singh	14, Atchala Bagan Rd., P.O. Jagatdal, North 24 Pgs.	Bharatiya Janata Party	Lotus
3.	Etwari Das	B.L. No. 25, Purani Bazar, P.O. Jagatdal, North 24 Pgs.	Independent	Bow and Arrow
4.	Krishna Shaw	B.L. 18, H. No. 19, P.O. Kankinara, North 24 Pgs.	Independent	Ladder
5.	Dharmpal Gupta	23, East Ghosh Para Rd., P.O. Kankinara, North 24 Pgs.	Indian National Congress	Hand
6.	Bidyut Ganguly	18/5 Banerjee Para Rd., P.O. Shyamnagar, North 24 Pgs.	Communist Party of India (Marxist)	Hammer, Sickle and Star
7.	Rupai Kewat	Bari No. 37,Gali No. 19, B.N. No. 19, P.O. Jagatdal, North 24 Pgs.	Independent	Rising Sun
8.	Shefali Sarkar	Babhanpur Gram, P.O. Bengal Enamel, North 24 Pgs.	Bahujan Samaj Party	Elephant

Barrackpore
6th April, 1996

Sd/-
Returning Officer

131—JAGATDAL ASSEMBLY CONSTITUENCY

1.	Anoy Gopal Sinha	13, Panchi Dhobani Gullee Cal-7, P.O. Jorasanko	Indian National Congress	Hand
2.	Chapala Majumder	27, Vevekananda Road, North Kalia Nibash, P.O. Nona Chandanpukur, Dist. North 24-Pargs.	Bahujan Samaj Party	Eleehant
3.	Dilip Chakroborty	144, (Ground Floor) Balaram Dey Street, Cal-6	Independent	Two Leaves
4.	Nihar Basu	Kalyan Gram, Shanti Nagar, Dist. North 24-Pgs.	All India Forward Bloc	Lion
5.	Pronab Dey	96. Natun Gram Road. Shyamnagar, Dist. North 24-parganas.	Independent	Ladder
6.	Badal Ghosh	26, Talpukur Rd., P.O. Naihati, Dist. North 24-Parganas	Amra Bangalee	Rising Sun
7.	Vinod Kumar Singh	15 (2nd Floor), Panchi Dhobani Gullee, Cal-7	Independent	Bow and Arrow
8.	Rajat Kumar Chakraborty	Noapara Bye Lane, Bakultala, P.O. Garulia, Dist. North 24-Pargs	Bharatiya Janata Party	Lotus
9.	Satya Narayan Gupta	Muchipara Road, P.O. Garulia, Dist. North 24-pargs	Independent	Axe

Barrackpore
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		132—NOAPARA ASSEMBLY CONSTITUENCY		
1.	Narendra Nath Baidya	East Sripally, Palta, P.O. Bengal Enamal, Dist. North 24-Parganas	Bahujan Samaj Party	Elephant
2.	Nityananda Das	Chunaripara Colony, P.O. Ichapur Nawabgang, Dist. North 24-parganas	Bharatiya Janata Party	Lotus
3.	Madan Mohan Nath	15, A. C. Nath Street, P.O. Ichapur Nawabgang, Dist. North 24-parganas	Communist Party of India (Marxist)	Hammer, Sickle and Star
4.	Sris Das	Chunaripara Kantadhar, P.O. Ichapur Nawabgang, Dist. North 24-Parganas	Indian National Congress	Hand
5.	Swapna Roy	Arabinda Pally, Ichapur, P.O. Ichapur Nawabgang, Dist. North 24-Parganas	Independent	Brick

Barrackpore
6th April, 1996

Sd/-
Returning Officer

		133—TITAGARH ASSEMBLY CONSTITUENCY		
1.	Ashok Shukla	9, Banarasi Ghosh Road. Talpukur, North 24-paraganas	Indian National Congress	Hand
2.	Ishak Ansari	60, G. C. Road, Hyder Primary School, Barrackpore Munucipality, Titagarh, North 24-Parganas	Independent	Jeep
3.	Pravin Kumar Shaw	2. Park Road, P.O. Talpukur, North 24-Parganas	Communist Party of India (Marxist)	Hammer, Sickle and Star
4.	Banarasi Prasad	House of Nazir Khan Faki Ghat Road, P.O. Khardah, North 24-Paraganas	Independent	Bicycle
5.	Shambhu Nath Gupta	26, A. P. Devi Bazar Titagarh, North 24-Parganas	Bharatiya Janta Party	Lotus

Barrackpore
6th April, 1996

Sd/-
Returning Officer

		134—KHARDAH ASSEMBLY CONSTITUENCY		
1.	Asim Kumar Dasgupta	Block-FE 145, Salt-Lake, Calcutta-700 091	Communist Party of India (Marxixt)	Hammer, Sickle and Star
2.	Kali Das Roy	New Barrackpore (Masunda), Ward No.-10, Holding 242, P.O. New Barrackpore, Dist. North 24 Pgs.	Bahujan Samaj Party	Elephant
3.	Chinmoy Chatterjee	Mandirpara, P.O. Rahara, Pin-743186, Dist. North 24-Pgs.	Indian National Congress	Hand
4.	Sashisekhar Chatterjee	P.O. Kalyannagar, Via. Pansila, Dist. North 24-Pgs.	Bharatiya Janata Party	Lotus

Barrackpore
6th April, 1996

Sd/-
Returning Officer

		135—PANIHATI ASSEMBLY CONSTITUENCY		
1.	Tapan Chakraborty	5/34, Chittaranjan,Colony, P.O. Jadavpur, Calcutta-32	Samata Party	Flaming Torch
2.	Tania Chakraborty (Basu)	Biplabi Sashibhusan Sarani, P.O. Jugberia, Sodepur, Dist. North 24-Pgs.	Communist Party of India (Marxist)	Hammer, Sickle and Star.

1	2	3	4	5
3.	Nirmal Kanti Sarkar	Vill. Parthapur, P.O. Natagarh, Dist. North 24-Pgs.	Bahujan Samaj Party	Elephant
4.	Nirmal Ghosh	2. Deshbandhunagar, Ishwar Chatterjee Road, P.O. Sodepur, Dist. North 24 Pgs.	Indian National Congress	Hand
5.	Mahadeb Basak	Chittaranjan Road, P.O. Natagarh, Dist. North 24-Pgs.	Bharatiya Janata Party	Lotus
6.	Sukumar Biswas	6, Bijoynagar, P.O. Naihati, Dist. North 24-Pgs.	Independent	Apple

Barrackpore
6th April, 1996

Sd/-
Returning Officer

136—KAMARHATI ASSEMBLY CONSTITUENCY

1.	Mitra Banerjee	Banerjee House Elias Road, Agarpara, Calcutta-58	Bharatiya Janata Party	Lotus
2.	Sambhu Nath Dutta	20, D.D, Mondal Ghat Road, Dakshineshwar, Calcutta-76	Indian National Congress	Hand
3.	Santi Ghatak	5, Rajkumar Chatterjee Street. Ariadaha, Calcutta-57	Communist Party of India (Marxist)	Hammer, Sickle and Star

Barrackpore
6th April, 1996

Sd/-
Returning Officer

137—BARANAGAR ASSEMBLY CONSTITUENCY

1.	Amar Chaudhuri	5/6, Purba Pally, P.O. Sodepur, Dist. North 24-Parganas	Revolutionary Socialist Party	Spade and Stoker
2.	Arun Sikdar	26/1, B. T. Road, Calcutta-700050	Samata Party	Flaming Torch
3.	Baidyanath Biswas	Adarsha Pally, 5, Kholisha Kota Pally, P.O. Birati, Calcutta-700051	Independent	Rising Sun
4.	Raiharan Debnath	62, Himanshu Mohan Chakraborty Road, Calcutta-700035	Bharatiya Janata Party	Lotus
5.	Silbhadra Datta	Ghola "C" Block, Plot No. 824, P.O. Sodepur, Dist North 24-Parganas	Indian National Congress	Hand

Barrackpore
6th April, 1996

Sd/-
Returning Officer

138—DUMDUM ASSEMBLY CONSTITUENCY

1	Amitabha Dey	8, Brahma School Road, P.O. Nimta, Calcutta-49	Independent	Ladder
2.	Kamal Lochan Chatterjee	Lalit Gupta Street, P.O. Nimta, Cal-49	Independent	Bow and Arrow
3.	Kameshwar Tiwary	10, No. Lal Jee Saha Street, DumDum Cantonment, Cal-28	Bharatiya Janata Party	Lotus
4.	Kishore Charan Law	37. Ramananda, Chatterjee Street, Calcutta-9	Independent	Rising Sun
5.	Nitai Ghosh	192, R. N. Guha Road, DumDum, Cal-28	Indian National Congress	Hand
6.	Bijoy Kumar Mandal	Badra, Netaji Lane, P.O. Italgacha, Calcutta-79	Bahujan Samaj Party	Elephant
7.	Sankar Sen	Golf Green, Urban Complex, Block No-3, Flat No-6	Communist Party of India (Marxist)	Hammer, Sickle and Star

Barrackpore
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		139—BELGACHIA EAST ASSEMBLY CONSTITUENCY		
1.	Abhijit Guha	Plot No. 9, Block-B, Bangur Avenue, Calcutta-700055	Bharatiya Janata Party	Lotus
2.	Arunava Ghosh	BC/101, Salt Lake, Calcutta-700064	Indian National Congress	Hand
3.	Kunal Kumar Mazumder	BB/124, Salt Lake, Calcutta-700064	Independent	Two Leaves
4.	Birendra Varmu	3, Seth Bagan Road and Seth Bagan Place	All India Indira Congress (Tiwari)	Lady Offering Flowers
5.	Sukanti Dutta	17A, Paikpara Raw, Calcutta-700037	Independent	Ship
6.	Sunil Bhattacherjee	27/1C, Jiban Krishna Mitra Road, Calcutta-700074	Independent	Bow and Arrow
7.	Subhas Chakraborti	69/1, S. K. Deb Road, Calcutta-700048, Housing Estate Block-A, Flat-3	Communist Party of India (Marxist)	Hammer, Sickle and Star
8.	Hira Lal Biswas	3/145, Seth Colony, Calcutta-700030	Independent	Rising Sun

Bidhannagar
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		140—COSSIPUR ASSEMBLY CONSTITUENCY		
1.	Abhijit Choudhury	6, Marhatta Ditch Lane, (2nd Floor), Calcutta-3	Independent	Two Leaves
2.	Anup Das	22/1/1/21, Monoharpukur Road, (Ground & 1st Floor), Calcutta-29	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Anupam Das	1/A, Kebal Krishna Sur Street, Calcutta-5	Independent	Bow and Arrow
4.	Bandyopadhyay Tarak	2/1, Nandaram Sen, 1st Lane, Calcutta-5	Indian National Congress	Hand
5.	Bhagyadhar Bag	14/3, Galiff Street, Calcutta-3	Independent	Ladder
6.	Chandramohon Gupta	67/17, Strand Road, Calcutta-6	Independent	Clock
7.	Gangadhar Panda	15, Barrackpore, Trunk Road, Calcutta-2	Independent	Aeroplane
8.	Joyanta Sinha	8A, Annada Prasad Street, Calcutta-5	Independent	Axe
9.	Parimal Kundu	21/1B, Silpi Netai Paul Lane (1st Floor), Calcutta-5	Independent	Boy and Girl
10.	Prabhakar Tewari	4B, Kali Kumar Banerjee Lane, Calcutta-2	Bharatiya Janata Party	Lotus
11.	Pranab Bagchi	5A, Kali Prasad Chakraborty Street, Calcutta-3	Independent	Hand Pump
12.	Prayag Bhagat	100/4C, Cossipur Road, Calcutta-2	Independent	Rising Sun
13.	Ranjit Kumar Baudh	22/1/II/12, Khagendra Chatterjee Road. Calcutta-2	Independent	Lock and Key
14.	Subrata Banerjee	9/1B, Nivedita Lane, Calcutta-3	Independent	Jeep
15.	Tapati Das	8, Shyambazar Street (Gr. floor), Calcutta-5	Independent	Bucket
16.	Upen Chandra Paul	32A, Cossimitra Ghat Street, Calcutta-3	Independent	Bicycle

Calcutta
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		141--SHYAMPUKUR ASSEMBLY CONSTITUENCY		
1.	Asha Ojha	P-7, Kalakar Street, Calcutta 700007	All India Indira Congress (Tiwari)	Lady Offering Flowers
2.	Ashoke Dutta	18-A, Hemendra Sen Street, Calcutta-700006	Independent	Axe
3.	Chandan Ghosal	61-C, Shyampukur Street, Calcutta-700004.	Independent	Rising Sun
4.	Guruprasad Biswas	7, Madan Mohan Datta Lane, Calcutta-700006	Bharatiya Janata Party	Lotus
5.	Mihir Chatterjee	8, Hemendra Sen Street, Calcutta 700006	Independent	Clock
6.	Sailendu Rakshit	9-C, Peari Das Lane, Calcutta 700006	Independent	Ladder
7.	Samir Chakraborty	20-A, Mahendra, Srimani Street, Calcutta-700009	Indian National Congress	Hand
8.	Santi Ranjan Ganguly	138, Bidhan Sarani, Calcutta-700004	All India Forward Bloc	Lion
9.	Somnath Banerjee	1/5, Fakir Chakraborty Lane, Calcutta-700006	Independent	Two Leaves

Calcutta
6th April, 1996

Sd/-
Returning Officer

		142—JORABAGAN ASSEMBLY CONSTITUENCY		
1.	Ashok Choubey	82/6, Burtolla Street, Calcutta-7	Independent	Ship
2.	Ashoke Pandey	194, Rabindra Sarani, Calcutta-700007	Independent	Chair
3.	Badri Prasad Dubay	263, Rabindra Sarani, Calcutta-700007	Independent	Boat
4.	Banerjee Swapan Kumar	78, Pathuria Ghat Street, Calcutta-700006	Independent	Cocoanut Tree Bearing Fruits
5.	Biswabasu Mukherjee	140, Balaram Dey Street, Calcutta-700006	Independent	Bucket
6.	Chatterjee Narayan	1/1/1A, Gour Laha Street (Ground Floor), Calcutta-700006	Independent	Boy and Girl
7.	Dinesh Kumar Rateria	13A. Prasanna Kumar Tagore Street, Calcutta-700006	Independent	Two Leaves
8.	Jain Shantilal	23, Maharshi Debendra Road (IInd Floor), Calcutta-700007	Bharatiya Janata Party	Lotus
9.	Jay Prakash Pandey	38A/39, Bazaz Mahal, Sadar Bazar, Barrackpore, North 24-Parganas.	Samata Party	Flaming Torch
10.	Kaliash Prasad Sonkar	5, Ratan Sarkar Garden Street, Calcutta-700007	Independent	Bicycle
11.	Madhu Sudan Goenka	15, Banstala Gullee, Calcutta-700007	Independent	Rising Sun
12.	Narsaria Sashi Prasad	54/4/C, Strand Road (2nd Floor), Calcutta-700006	Independent	Brick
13.	Padma Devi Soni	2A, Kanailal Sett Street, Calcutta-700007	Independent	Lock and Key
14.	Rajib Sharma	26, Makenjee Lane, Sadar Howrah	Independent	Ladder
15.	Rama Kant Kedia	190, Maharshi Debendra Road, Calcutta	Independent	Bow and Arrow
16.	Rathi Mahabir Prasad	19, Sir Hariram Goenka Street, Calcutta-7	Independent	Drum
17.	Sanjoy Bakshi	73B, Girish Park North, Calcutta-700006	Indian National Congress	Hand

1	2	3	4	5
18.	Sarala Maheswari	CF-204, Salt Lake, Calcutta-700 064	Communist Party of India (Marxist)	Hammer, Sickle and Star
19.	Sen Sandipan	65/1, Ahiritola Street (1st Floor), Calcutta-700 005	Independent	Clock
20.	Snehlata Maheshwari	26, Prasanna Kumar Tagore Street, Calcutta-700 006	Independent	Kettle
21.	Sunil Roy	5, Hari Sarkar Lane, Calcutta-7	All India Indira Congress (Tewari)	Lady Offering Flowers
22.	Taranath Prasad Rao	22, Maharshi Debendra Road, Calcutta-7	Independent	Hurricane Lamp
23.	Umesh Choubey	82/6, Bartala Street, (4th Floor), Calcutta-7	Independent	Axe

Calcutta
6th April, 1996

Sd/-
Returning Officer

143—JORASANKO ASSEMBLY CONSTITUENCY

1.	Abhay Shankar Roy	41, Radha Madhab Saha Lane 1st Floor, Calcutta-7	Independent	Clock
2.	Akhtar Alam	145B/II/1, Chittaranjan Avenue, Calcutta-7	Independent	Ship
3.	Bhola Nath Gupta (Munna)	168, Rabindra Sarani, Calcutta-7	Independent	Boat
4.	Deokinandan Poddar	116/1/1, Mahatma Gandhi Road, Calcutta-7	All India National Congress	Hand
5.	Gupta Binoy Kumar	P-241, Hem Chandra Naskar Road (CIT Scheme IV-M), Calcutta-10	All India Indira Congress (Tiwari)	Lady Offering Flowers
6.	Jatindra Nath Baral	4/1/2A, Hara Prasad Dey Lane, Ground Floor, Calcutta-7	Independent	Apple
7.	Kanai Chandra Pal	22, Mitra Lane, Ground Floor, Calcutta-7	Independent	Axe
8.	Kedar Nath Jha	62, Parbati Ghosh Lane, Calcutta-7	Samata Party	Flaming Torch
9.	Krishna Kumar Sharma	26/3, Armenian Street, Calcutta-1	Independent	Car
10.	Lal Bahadur Verma	30, Mitra Lane, Calcutta-7	independent	Aeroplane
11.	Mansoor Ahmed	30, Munshi Sadruddin Lane, Calcutta-7	Independent	Bicycle
12.	Nandalal Singhania	55C, Tarak Pramanik Lane, Calcutta-6	Bharatiya Janata Party	Lotus
13.	Naresh Ch. Sharma	88/B, Madan Mohan Burman Street, Calcutta-7	Independent	Hurricane Lamp
14.	Nirmal Kumar Bhartia	75, Cotton Street, 3rd floor, Calcutta-7	Independent	Almirah
15.	Rajendra Sonkar	254, Rabindra Sarani, Calcutta-7	Independent	Chair
16.	Rathorsewa Singh	147/1/B, Mahatma Gandhi Road, Calcutta-7	Independent	Drum
17.	Sambhu Nath Ganguli	130, Ananda Palit Road, Calcutta-14	Akhil Bharat Hindu Maha Sabha	Rising Sun
18.	Satish Vyas	Industrial Housing Estate, Block-H, Flat-13, Budge-Budge South, 24-Parganas	Akhil Bharat Janasangh	Bow and Arrow
19.	Satya Narayan Bajaj	6. Alipore Avenue, Calcutta-27	All India Forward Bloc	Lion
20.	Shyam Sundar Sharma	2, Madan Chatterjee Lane, Calcutta	Independent	Two Leaves

1	2	3	4	5
21.	Suresh Kumar Murgai	10, Jakson Lane Calcutta-1	Independent	Letter Box
22.	Vinod Surana	6, Dr. Kartick Bose Street, Calcutta-9	Independent	Ladder

Calcutta
6th April, 1996

Sd/-
Returning Officer

144--BARABAZAR ASSEMBLY CONSTITUENCY

1.	Avinash Ojha	48, Nalini Sett Road, Calcutta-700007	Independent	Letter Box
2.	Binod Sharma	72, Bartolla Street, Calcutta-700007	Independent	Bow and Arrow
3.	Chandresh Meghani	49, Ezra Street, Calcutta-700001	Independent	Two Leaves
4.	Dinesh Tiwari	40, Rabindra Sarani, Calcutta-700073	Independent	Bicycle
5.	Gayatri Sinha Roy	172, Bidhan Pally, Panchanantala, Garia, Calcutta-700084	Independent	Brick
6.	Hari Krishan Tandon	BC-144, Salt Lake, Calcutta-700064	Bharatiya Janata Party	Lotus
7.	Iqbal Ahmed	3, Tiretta Bazar Street, Calcutta-700073	Independent	Apple
8.	Md. Asiruddin	123, Rabindra Sarani Calcutta-700073	Janata Dal	Chakra (Wheel)
9.	Md. Sajid Ali	3, Abdul Hamid Street, Calcutta-700069	Independent	Axe
10.	Naresh Kr. Singh	15/12, Chowbaga Road, Calcutta-700039	Independent	Cocoanut Tree Bearing Fruits
11.	Pandey Sridhar	3, Pannalal Banerje Lane, Calcutta-700001	All India Indira Congress (Tiwari)	Lady Offering Flowers
12.	Pathak Ramsamhar	37, Biplabi Rashbehari Basu Road, Cal-700001	Independent	Ladder
13.	Rajesh Khaitan	27-B, Rowland Row Calcutta-700020	Indian National Congress	Hand
14.	Raju Mallick	2/1, Sudder Street, Calcutta-700016	Forward Bloc (Socialist)	Rising Sun
15.	Satya Narayan Sharma	94, Cotton Street, Calcutta-700007	Independent	Ship
16.	Shaukat Rahmani	8, Peter Lane, Calcutta-700073	Independent	Boat
17.	Shyam Kumar Sonkar	26/1/1B, Strand Road, Calcutta-700001	Samata Party	Flaming Torch
18,	Syed Mohammad Hossain	61, Bentinck Street, Calcutta-700069	Independent	Clock
19.	Tundawalla Abid Bhai	26, Pollock Street, Calcutta-700001	Independent	Jug
20.	Umesh Singh	37, Cotton Street, Calcutta-700007	Independent	Aeroplane

Calcutta
6th April, 1996

Sd/-
Returning Officer

145--BOWBAZAR ASSEMBLY CONSTITUENCY

1.	Bibekananda Paul	12A, Bankarai Street, Calcutta-700012	Independent	Two Leaves
2.	Bratindra Naskar	47/3A, Garialhat Road, Calcutta-700019	All India Indira Congress (Tewari)	Laddy Offering Flowers
3.	Brindaban Chandra Dey	150, Raja Rammohan Roy Sarani, Calcutta-700009	Independent	Cart
4.	Gautam Dasgupta	30/1/1, Doctor Lane, P.O. Entally, Calcutta-700014	Independent	Cocoanut Tree Bearing Fruits
5.	Habul Mukherjee (Tarak)	67, Bose Pukur Road, Calcutta-700042	Independent	Bicycle
6.	Joseph Rozario	65, Gardner Lane, Calcutta-700014	Independent	Apple

1	2	3	4	5
7.	Kamal Kumar Roy	24, Uma Das Lane, Calcutta-700016	Independent	Bucket
8.	Md. Kasim	96, Collin Street, Calcutta-700016	Independent	Ladder
9.	Md. Saifuddin	167/3C, Lenin Sarani, Calcutta-700072	Independent	Boat
10.	S. M. Mustafa	36, Collin Street, Calcutta-700016	Samata Party	Flaming Torch
11.	Narayan Chandra Ghosh	10/1B, Ram Hari Mistry Lane, Calcutta-700013	Independent	Brick
12.	Pinaki Das	135/1, Gr. Fl. Collin Street, P.O. Park Street, Calcutta-700016	Independent	Bow & Arrow
13.	Rajendra Kumar Gupta	40, Biplabi Anukul Chandra Street, Calcutta-700072	Bharatiya Janata Party	Lotus
14.	Saroj Bhattacharjee	40/1, Pulin Khatik Road, Block A/1, 2nd floor, Flat-6. Calcutta	Akhil Bharat Hindu Mahasabha	Rising Sun
15.	Shyamal Kr. Dutta	25/1, Ramanath Kabiraj Lane, P.O. Bowbazar, Calcutta-700012	Independent	Axe
16.	Sudip Bandyopadhyay	72/4, S. N. Banerjee Road, Flat-25, 3rd Floor, Calcutta-700014	Indian National Congress	Hand
17.	Sujit Mandal	O.D.R.C. Housing Esate, Block No. R/Q-1, Diamond Harbour Road, Calcutta-700038	Janata Dal	Chakra (Wheel)

Calcutta
6th April, 1996

Sd/-
Returning Officer

146—CHOWRINGHEE ASSEMBLY CONSTITUENCY

1.	Md. Asif Hussain	10, A.K. Md. Siddique lane, Calcutta-700016	Muslim League	Ladder
2.	M. E. Chand	10/2H/27, Kabitirtha Sarani, Calcutta-700023	Bharatiya Minorities Suraksha Mahasangh	Axe
3.	Mrinal Kanti Das	17A. Charu Chandra Avenue, Calcutta-700033	Bharatiya Janata Party	Lotus
4.	Paul Mantosh	136. Lenin Sarani, Calcutta-700013	Janata Dal	Chakra
5.	Ramendra Pandy	7B, Rani Rashmoni Road. Calcutta-700013	Independent	Two Leaves
6.	Sakal Deo Sharma	14B, Justice Dwarkanath Road, Calcutta-700020	Independent	Bicycle
7.	Subrata Mukherjee	15/1A, Gariahat Road, Calcutta-700019	Indian National Congress	Hand
8.	Vijay Gaur	75B, Park Street, Calcutta-700 016	Independent	Apple

Calcutta
6th April, 1996

Sd/-
Returning Officer

147—KABITIRTHA ASSEMBLY CONSTITUENCY

1.	Bhola Mahato	Quarter No.-1, Line No-D, G. C. D. Sick Lane, Calcutta-700043	Indenpendent	Aeroplane
2.	Bhola Prasad Jaiswara	20, Coal Berth, Block No.-C/5, P.O. S. E. Rly., Near Fire Quarter, Calcutta-700043	Independent	Two Leaves

1	2	3	4	5
3.	Bijoy Kumar Chowdhury	3, Hari Sava Street, Khedderpore, Calcutta-700023	Shivsena	Bow and Arrow
4.	Joy Prakash Yadav	49/5/II/7, Karl Marx Sarani, Calcutta-700023	Independent	Lock and Key
5.	Md. Aslam	48/1/II/2, Karl Marx Sarani, Calcutta-700023	Independent	Chair
6.	Moinuddin Shams	24/II/8, Dent Mission Road, Calcutta-700023	All India Forward Bloc	Lion
7.	Rabindar Singh	49/5/II/156, Karl Marx Sarani, Calcutta-700023	Independent	Bicycle
8.	Rama Sankar Sharma	48/B/II/29, Karl Marx Sarani, Calcutta-700023	Independent	Apple
9.	Ram Chandra Jaiswal	19J, Mohan Chand Road, Ground floor, Calcutta-700023	Bhartiya Janata Party	Lotus
10.	Ram Pyare Ram	P/61/A/1, Karl Marx Sarani, Calcutta-700043	Indian National Congress	Hand
11.	Sanat Kumar Saha	18, Kedarnath Chaterjee Road, P.S. Behala, South 24-Parganas	Independent	Boat
12.	Satish Nunia	C.P.T. Bilashpur Lane, 14/3, Calcutta-700043	Independent	Cart
13.	Uday Singh	1/1B, Ram Kamal Street, Calcutta-700023	Independent	Rising Sun
14.	Vijay Narayan Keshari	48B/H/29, Karl Marx Sarani, Calcutta-700023	Independent	Clock

Alipore
6th April, 1996

Sd/-
Returning Officer

148 --ALIPORE ASSEMBLY CONSTITUENCY

1.	Chandi Charan Das	107, Alipore Road, Calcutta-700027	Independent	Rising Sun
2.	Paresh Chakraborty	60, Devendra Ghosh Road, Calcutta-700025	Independent	Ladder
3.	Ramkrishna Biswas	5/F/2, Sahapur Road, Calcutta-700026	Independent	Coconut Tree Bearing Fruits
4.	Rathindranath Roy Chaudhury	52/1, Kalighat Road, Calcutta-26	Communist Party of India (Marxist)	Hammer, Sickle & Star
5.	Ratna Dutta	99B, Alipore Road, Calcutta-27	Independent	Two Leaves
6.	Saugata Roy	162D/593, Prince Anwar Shah Road, (Lake Gardens) Calcutta-45	Indian National Congress	Hand
7.	Sunil Kr. Gupta	27, Orphanganj Road, Calcutta	Independent	Bow and Arrow
8.	Tapan Dhar	48, Dhirendra Nath Ghosh Road, Calcutta-25	Bharatiya Janata Party	Lotus
9.	Tripti Das	8, Sambhunath Pandit Street, Calcutta-25	Independent	Boat

Alipore
6th April, 1996

Sd/-
Returning Officer

149—RASHBEHARI AVENUE ASSEMBLY CONSTITUENCY

1.	D. Bhattacharya	56/1D, Garcha Road, Calcutta-19	Independent	Apple

1	2	3	4	5
2.	Chatterjee Balai	57, Purna Das Road, Calcutta 29	Independent	Rising Sun
3.	Harinarayan Dey	3, Lake Colony, (E-38) Keyatala Road, Calcutta-29	Independent	Two Leaves
4.	Hoimi Basu	1/1 A&B, Shri Mohan Lane, Calcutta-26	Indian National Congress	Hand
5.	Pulak Mukherjee	28/4/2/1D, Shri Mohan Lane, Cacutta-26	Independent	Boat
6.	Purshottam Kumar	Kumar House, P 65, Lake View Road, Calcutta-29	Bharatiya Janata Party	Lotus
7.	Ramkrishna Biswas	5/F/2, Sahapur Road, (Durgapur colony) Block-L, New Alipur, Calcutta 53	Independent	Coconut Tree Bearing Fruits.
8.	Ranjan Banerjee	4/3, Nepal Bhattacharjee Street, Calcutta-26	Communist Party of India (Marxist)	Hammer, Sichle and Star

Alipore
6th April, 1996

Sd/-
Returning Officer

150—TOLLYGUNGE ASSEMBLY CONSTITUENCY

1.	Ashis Banik	61, H. L. Sarkar Road, P.O. Bansdroni, P.S. Regent Park, 24-Parganas, Calcutta-70	Independent	Rising Sun
2.	Ashis Roy	P37, K. B. Roy Garden, Garia Station Road, Calcutta-700 084	CPIM	Hammer, Sickle and Star
3.	Dr. Gautam Biswas	69, Chandi Ghosh Road, Calcutta-700 040	BJP	Lotus
4.	Pankaj Banerjee	3/142, Gandhi Colony, P.O. Regent Estate, Calcutta-700 092	INC	Hand

Alipore,
6th April, 1996

Sd/-
Returning Officer

151—DHAKURIA ASSEMBLY CONSTITUENCY

1.	Debabrata Majumder	3/11, Bijoygarh, Calcutta-32	Bharatiya Janata Party	Lotus
2.	Kshiti Goswami	2/106 Sree Colony, Calcutta-92	Revolutionary Socialist Party	Spade and Stoker
3.	Sathi Sen	95, Pallysree, Calcutta-92	All Indira Congress (Tewari)	Lady Offereing Flower
4.	Sukhendu Sekhar Roy	1/111/1, Garialat Road, (South) Jodhpur Park, Calcutta-68	Indian National Congress	Hand
5.	Sukumar Banerjee	10/7, Ganesh Banerjee Lane, Calcutta-31	Independent	Two Leaves

Calcutta
6th April, 1996

Sd/-
Returning Officer

152—BALLYGUNGE ASSEMBLY CONSTITUENCY

1.	Amitava Chowdhury	Flat No. 28 Type-III Central Govt. Housing Estate, Calcutta-40	Independent	Rising Sun
2.	Bijoy Dutta	11/B, Rahim Ostagar Road, Calcutta-45	Independent	Aeroplane
3.	Dibyendu Biswas	36C, Pramathes Barua Sarani, 4th Floor, Flat 4/3, Calcutta-19	Indian National Congress	Hand
4.	Dipak Kumar Ghosh	143/157, Picnic Garden Road, Cal-39	Independent	Drum

1	2	3	4	5
5.	Gouri Choudhury	1/62, Garcha 1st Lane (Dover Place) G. Floor, Calcutta-19	Bharatiya Janata Party	Lotus
6.	Maheshwar Das	120/5, Tiljala Road, Calcutta-46	Bahujan Samaj Party	Elephant
7.	Rabin Deb	202, Block-FD, Salt Lake, Calcutta-91	Communist Party of India (Marxist)	Hammer, Sickle and Star
8.	Ranjit Kumar Dey	2HLF (C) Railway Quarter, Ballygunge Kankulia Road, Level Crossing, Calcutta-29	Independent	Bicycle

Calcutta
6th April, 1996

Sd/-
Returning Officer

153—ENTALLY ASSEMBLY CONSTITUENCY

1.	Agarwal Fatehchand	12, Acharya Jagadish Chandra Bose Road, Cal-17	Bharatiya Janata Party	Lotus
2.	Arun Biswas	Maniktala Govt. Housing Estate, Block-A/1, Flat-2, Cal 54	All India Christian Democratic & Backward People's Party	Hurricane Lamp
3.	Ashoke Dey	7C, Mahendra Roy Lane, Cal-46	Independent	Apple
4.	Feroz Ahmed	30/7, Jhawtala Road, Cal-17	Bahujan Samaj Party	Elephant
5.	Ishrat Nazir Azad	34, Cantopher Lane, Cal-14	Independent	Boat
6	Mir Asgar Ali	6/H, Shamsul Huda Road, Cal-17	Independent	Rising Sun
7.	Mira Chakraborty	137B, Jhawtala Road, Cal-17	Samata Party	Flaming Torch
8.	Pradip Guha Roy	18, Gobra Road, Cal 46	Independent	Cart
9.	Reyazuddin	41B, Jannagar Road, Cal-17	Independent	Axe
10.	Sajeda Asad	5, Dr. A. M. O. Ghani Road, Cal-17	Independent	Aeroplane
11.	Md. Sajid Ali	3, Abdul Hamid Street, Cal-69	Independent	Bow & Arrow
12.	Shafi Nishat	16/1C, Topsia Road (South), Cal-46	All Indira Congress (Tewari)	Lady Offering Flowers
13.	Sultan Ahmed	19A, Ripon Street, Flat-A&B, Cal-16	Indian National Congress	Hand
14.	Sunita Agarwal	12, Acharya Jagadish Chandra Bose Road, Cal-17	Independent	Jeep
15.	Zahiruddin Khan	96, Park Street, Cal-17	Independent	Almirah
16.	Ziauddin Ahmed	46G/1, Gora Chand Road, Cal-14	Communist Party of India (Marxist)	Hammer, Sickle and Star

Calcutta
6th April, 1996

Sd/-
Returning Officer

154—TALTOLA (S.C.) ASSEMBLY CONSTITUENCY

1.	Bimal Das	26/H/32, Pottery Road, Calcutta-15	Independent	Car
2.	Biren Das	48/H/12, Pottery Road, Calcutta-15	Independent	Jeep
3.	Birendra Prosad	13, Paymental Garden Lane, Calcutta-15	Independent	Clock
4.	Krishnapada Majumder	Block-R, Flat No. 9, Govt. Housing Estate, Chandranath Roy Road, Calcutta-39	Bharatiya Janata Party	Lotus

1	2	3	4	5
5.	Sambhu Nath Kow (Lalu)	46/1A/1, Debendra Chandra Dey Road, Calcutta-15	Indian National Congress	Hand
6.	Sudhir Kumar Bishram	2/II/9, New Tangra Road, Calcutta-46	Independent	Boat
7.	Sukumar Mondal	47/II/1, Debendra Chandra Dey Road, Calcutta-15	Independent	Bicycle
8.	Dr. Tapati Saha	12A, Pasupati Bose Lane, Calcutta-3	Communist Party of India (Marxist)	Hammer, Sickle & Star

Calcutta
6th April, 1996

Sd/-
Returning Officer

155—BELIAGHATA ASSEMBLY CONSTITUENCY

1.	Gupta Binoy Kumar	P-241, Hemchandra Naskar Road (C.I.T. Scheme IV M), Cal-10	Independent	Chair
2.	Jaba Kundu	P-16, Hemchandra Naskar Road, Scheme X M, Cal-10	Bharatiya Janata Party	Lotus
3	Krishna Debnath	Flat No. 135 Karnani Estate, 209 A. J. C. Bose Road, Cal-17	Indian National Congress	Hand
4.	Manabendra Mukherjee	62/42, Haripada Dutta Lane, Cal-33	Communist Party of India (Marxist)	Hammer, Sickle & Star
5.	Pulok Majumdar	57/C, Garpar Road, Cal-9	Independent	Axe
6.	Sanjoy Basu	11A/11, Christopher Road, Cal-14	Independent	Ladder
7.	Subrata Chatterjee	80, Dhandebi Khanna Road, Cal-54	Independent	Bow & Arrow
8.	Sukha Ranjan Dutta	8/3D, Hatibagan Road (North), Cal-14	Independent	Hand Pump
9.	Sukumar Mallick	9B, Mathur Babu Lane, Cal-15	Independent	Jug

Calcutta
6th April, 1996

Sd/-
Returning Officer

156—SEALDAH ASSEMBLY CONSTITUENCY

1.	Arun Prakash Chatterjee	CF 345, Salt Lake Sector. I, Calcutta-700064	C.P.I	Ears Of Corn And Sickle
2.	Arun Kumar Das	2/1/2B, Serpentine Lane, Calcutta-700014	Independent	Apple
3.	Arup Banerjee	10, Golap Sastri Lane, Calcutta-700014	Independent	Cocoanut Tree Bearing Fruits
4.	Gour Saha	19/1B, Abinash Chandra Banerjee Lane, Calcutta-700010	B.J.P.	Lotus
5.	Hijal Chatterjee	120, Muktaram Babu Street, Calcutta-7	Independent	Rising Sun
6.	Mithu Poon	105/5, (Railway Quarter) Beliaghata Road, Calcutta-700015	Independent	Bow & Arrow
7.	Somendranath Mitra	44C, Raja Rammohan Roy Sarani, Calcutta-700009	I.N.C.	Hand
8.	Sudarsan Bhatterjee	5, Nafar Koley Road, Calcutta	Independent	Clock

Calcutta
6th April, 1996

Sd/-
Returning Officer

157—VIDYASAGAR ASSEMBLY CONSTITUENCY

1.	Abir Lal Mukherjee	15/1, Nirmal Chandra Street, Calcutta-12	C.P.I. (M)	Hammer, Sickle & Star

1	2	3	4	5
2.	Ananta Jana	45, Raja Rammohan Roy Sarani, Calcutta-700009	Independent	Ship
3.	Biplab Dhar	113, Sitaram Ghosh Street, Calcutta-700009	Independent	Drum
4.	Kamal Ansari	59A/II/4, Madan Mohan Burman Street, Calcutta-700007	Bahujan Samaj Party	Elephant
5.	Lakshmi Mondal	73, Baithakkhana Road, Calcutta 700009	Independent	Almirah
6.	Md. Shawkat Ali	1, Srinath Babu Lane, Calcutta-700073	Independent	Bicycle
7.	Md. Zahid Hussain	3C/II/15, Dr. M. M. Chatterjee Sarani, Calcutta-9	Independent	Boy & Girl
8.	Santi Nath Ghosh	7/3, Ramnath Biswas Lane, Calcutta 9	B. J. P.	Lotus
9.	Tapas Roy	43, P. C. Boral Street, Calcutta-700012	I. N. C.	Hand

Calcutta
6th April, 1996

Sd/-
Returning Officer

158- BARTOLA ASSEMBLY CONSTITUENCY

1.	Dhira Sil	15, Madan Mitra Lane, Calcutta-6	Independent	Bow & Arrow
2.	Jnanabrata Chanda	91, Raja Dinendra Street, Calcutta-6	B. J. P.	Lotus
3.	Parimal Routh	124C, Lenin Sarani, Calcutta-13	R. S. P.	Spade & Stoker
4.	Praloy Guha	81/1B, Raja Dinendra Street, Calcutta-6	Independent	Car
5.	Prasanta Kumar Ghosh	3D, Khasmul Street, Calcutta-6	Independent	Axe
6.	Ramesh Misra	1A, Madan Mitra Lane, Calcutta-6	Independent	Clock
7.	Sadhan Pande	1/1D, Goabagan Street, Calcutta-6	I.N.C.	Hand
8.	Sanjay Kr. Bhotika	72, Burtola Street, Calcutta-7	Independent	Rising Sun
9.	Sudav Adhikary	38B, Hartaki Bagan Lane, Calcutta-6	Independent	Aeroplane

Calcutta
6th April, 1996

Sd/-
Returning Officer

159- MANIKTOLA ASSEMBLY CONSTITUENCY

1.	Amar Nath Show	2/4, Canal East Road, Calcutta-67	Independent	Two Leaves
2.	S. Chakraborty	36/1, Abinash Chandra Banerjee Lane, Calcutta-10	Independent	Brick
3.	S. Chakraborty	32, Mahesh Barik Lane, Calcutta-11	Independent	Axe
4.	Paresh Paul	Kankurgachi 2nd Lane, C.I.I.S.I.II.III Block-7, Flat-23, Calcutta-4	I.N.C.	Hand
5.	Rakhal Dey	2/1/II/1, Bidhan Nagar Road, Calcutta 67	B. J. P.	Lotus
6.	Shymal Chakraborty	Govt. Housing Estate C.I.T. Scheme-VII-N V.I.P Road, Block-D, Flat-6, Cal-54	C. P. I. (M)	Hammar, Sickle & Star
7.	Subir Bhattacharya	43A/1C, Biplabi Barin Ghosh Sarani, Calcutta-67	Independent	Rising Sun

Calcutta
6th April, 1996

Sd/-
Returning Officer

160 -BELGACHIA (West) ASSEMBLY CONSTITUENCY

1.	Banney Khan	62, Barrackpore Trunk Road, Calcutta-2	Independent	Bow and Arrow
2.	Dilip Prasad	26/1B/II/6, Khagendra Chatterjee Road, Calcutta-2	Independent	Rising Sun

1	2	3	4	5
3.	Ghoshal Madhabi	1/1/4/7/1 Dum Dum Road, Calcutta-2	Independent	Bicycle
4.	Goutam Bhattacharjee	247/1G, A P.C Road, Calcutta 6	Independent	Axe
5.	Md Azimullah	61/3, Barrackpore Trunk Road, Calcutta 2	Independent	Lock and Key
6.	Netai Konch	12, Chandranath Simlai Lane, Calcutta-2	Independent	Two Leaves
7.	Rajdeo Goala	23, Anath Nath Deb Lane, Calcutta-37	C.P.I. (M)	Hammer, Sickle and Star
8.	Rajendraprasad Shaw	56/6, B T. Road, Calcutta 2	B J P.	Lotus
9.	Sadhan Das	247/1T, A.P.C. Road, Calcutta 6	I N.C.	Hand

Calcutta
6th April, 1996

Sd/-
Returning Officer

161—BALLY ASSEMBLY CONSTITUENCY

1.	Kanika Ganguly	28, Bireswar Chatterjee Street, Bally, Howrah-711201	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Goutam Mazumdar	58/1, Bhattanagar, P.O. Bhattanagar, Dist Howrah	Independent	Car
3.	Tapan Bhowmick	12/1, Mohinath Porel Lane, P O. Salkia, Howrah-711106	Independent	Two Leaves
4.	Dinesh Das	4/1A, Bibhuti Bhusan Banerjee Lane, P.O Belur, P.S. Bally, Dist. Howrah	Independent	Ladder
5.	Narayan Bhadra	46/10B, Aurobindonagar, P.O Bhattanagar, Dist Howrah-711203	Independent	Bi-Cycle
6.	Bani Kumar Singha	141/1/3, Benaras Road, Howrah-6	Indian National Congress	Hand
7.	Mridul Chatterjee	10, Prankrishna Chatterjee Street, P.O. Liluah, Howrah	Independent	Apple
8.	Rakhal Das	7/B, Lalmohan Mukherjee Street, P.O. Belurmath, Howrah	Bharatiya Janata Party	Lotus
9.	Sambhu Dey	4,Kamini School Lane, P O Salkia, Dist. Howrah	Independent	Boat
10.	Sailendra Chowdhary	120/2, Daspara Road, Liluah, Howrah-711104	Independent	Rising Sun

Howrah
6th April, 1996

Sd/-
Returning Officer

162—HOWRAH NORTH ASSEMBLY CONSTITUENCY

1.	Anil Kumar Singh	25/1, Mekenzie Lane, Howrah 711101	Independent	Apple
2.	Asok Ghosh	9/8, Sitanath Bose Lane, Howrah-6	Indian National Congress	Hand
3.	Paras Nath Verma	59/11, Kings Road, (Punjab Lane), Howrah-711101	Independent	Lock & Key
4	Md Nasim	30, Pilkhana 3rd Bye Lane, P.O. Salkia, Dist Howrah	Independent	Aeroplane
5.	Yadvendra Mishra	54, Girish Ghosh Road, P.O. Ghusuri, Howrah-7	Independent	Car
6.	Rai Bahadur Singh	17, I. C. Bose Road, Howrah-711101	Bharatiya Janata Party	Lotus

1	2	3	4	5
7.	Ram Nath Ram	93/2/1, 'B' Road, Bamungachi, P.O. Salkia, Howrah-6	Independent	Rising Sun
8.	Ramniwas Gupta	113, Sri Aravinda Road, Salkia, Howrah-6	Independent	Clock
9.	Lagan Deo Singh	56/1/1, Kings Road, Howrah-1	Communist Party of India (Marxist)	Hammer, Sickle and Star

Howrah
6th April, 1996

Sd/-
Returning Officer

163 - HOWRAH CENTRAL ASSEMBLY CONSTITUENCY

1.	Ambica Banerjee	42/5, Dharmo Das Kundu Lane, Sibpur, Howrah-2	Indian National Congress	Hand
2.	Abdul Majid	74/4/2 Gangaram Bairagi Lane, Howrah-1	All India Indira Congress	Lady Offering Flowers
3.	Debasish Chakraborty	1/4, Halderpara 1st Bye Lane, Howrah 4	Independent	Bi-Cycle
4.	Rajesh Kumar Bhutra	4, Harkat 1st Bye Lane, Howrah-1	Independent	Cart
5.	Shyam Sundar Serestha	88/6, Nilmoni Mullik Lane, Howrah-1	Bharatiya Janata Party	Lotus
6.	Shyama Prasad Mukharjee (Apu)	85/1, Nara Singha Dutta Road, Howrah 1	Independent	Ship
7.	Sureswar Dutta	26, Guitandel Lane, Howrah-1	Janata Dal	Chakra (Wheel)
8.	Shushila Purohit	26, Rabindra Sarani, Liluah, Howrah	Independent	Rising Sun
9.	Haider Ali	13, G. C. R. C. Ghat Road, Shibpur, Howrah-2	Independent	Lock & key

Howrah (Sadar)
6th April, 1996

Sd/-
Returning Officer

164 HOWRAH SOUTH ASSEMBLY CONSTITUENCY

1.	Ambooj Sharma	13/3, Dr. P. K. Banerjee Road, Howrah-1	B. J. P.	Lotus
2.	Arup Roy	2/1, Dharmatala Lane, Howrah-1	I. N. C.	Hand
3.	Abdul Kaum	22, Danesh Mollah Lane, Shibpur, Howrah-2	B. S. P.	Elephant
4.	Thakur Ram Lakhman	1, Gobordhan Mollah Lane, Tinabari Liluah, Howrah	Independent	Rising Sun
5.	Pralay Talukdar	1, Nil Kamal Kundu Lane, Howrah-2	C. P. I. (M)	Hammer, Sickle and Star
6.	Ranjit Chatterjee	105/4, Sk. Para Lane, Howrah 4	Independent	Two Leaves
7.	Rajesh Lakhotia	13, Rameswar Malia Lane, Howrah 1	Independent	Aeroplane
8.	Ram Shankar Dube	46, Ban Behari Basu Road, Howrah-1	All India Indira Cong. (Tewari)	Lady Offering Flowers
9.	Sanjeeb Das	62/2, Nilmoni Mallick Lane, Howrah-1	Independent	Apple
10.	Subrata Mukherjee	131/1, Nara Singha Dutta Road, Howrah-1	Independent	Bi-Cycle
11.	Swaminath Prasad	48/2, South Buxrah 1st Bye Lane, Howrah-9	Independent	Axe

Howrah
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		165 – SHIBPUR ASSEMBLY CONSTITUENCY		
1.	Jatu Lahiri	Ambica Kundu Bye Lane, P.O. Santragachi, P.S. Jagacha, Howrah-711104	Indian National Congress	Hand
2.	Prabir Kumar Banerjee (Debu)	1/1, Chowdhurypara Lane, Howrah-4	All India Forward Bloc	Lion
3.	Bipin Pande	31, Makardaha Road, Kadamtala, Howrah-711101	Independent	Rising Sun
4.	Lakshmi Narayan Mullick	28/1, Bhagaban Chatterjee Lane, Howrah-711101	Bharatiya Janata Party	Lotus
5.	Shingh Parmeshwar Parsad	Paschim Chakpara, 7, No. Colony, Dagabagan, Liluah, Howrah	Independent	Boat
6.	Subrata Paul	Ambica Kundu Bye Lane, P.O. Santragachi, Howrah-711104	Independent	Sewing Machine

Howrah
6th April, 1996

Sd/-
Returning Officer

		166—DOMJUR ASSEMBLY CONSTITUENCY		
1.	Kisalay Hait	Vill. Bankra Dakshin Pally, P.O. Bankra, Howrah	Independent	Hand-Pump
2.	Dr. Gopal Ghosh	P.O. & Vill. Bhandardaha, Dist. Howrah-711411	Independent	Rising Sun
3.	Padmanidhi Dhar	1/13, Vidyasagar Sarani, Nischinda Bally, Dist. Howrah	C.P.I.(M)	Hammer, Sickle and Star
4.	Bhabani Prosad Bhattacharyya	4/4 Baltikuri Housing Estate, P.O. Baltikuri, Dist. Howrah-711402	I.N.C.	Hand
5.	Manjusri Dey	Vill. Madyachakpara, P.O. Chakpara, Dist. Howrah	B.J. P.	Lotus
6.	Siddheswar Mukherjee	Vill. Mouri Das Para, P.O. Andul Mouri, Howrah	Amra Bangali	Ladder

Howrah
6th April, 1996

Sd/-
Returning Officer

		167—JAGAT BALLAVPUR ASSEMBLY CONSTITUENCY		
1.	Ahindra Jana	Vill. Jamuna Balia, P.O. Niz Balia, Dist. Howrah	Independent	Bow & Arrow
2.	M. Ausarudlin	Vill. & P.O. Dakshin Jharpardah, Dist. Howrah	C. P. I. (M)	Hammer, Sickle and Star
3.	Kashinath Bag	Vill. Wadipur (Via-Begri), P.O. Wadipur, Dist. Howrah-711411	B. J. P.	Lotus
4.	Nityananda Maity	Vill. Jamuna Balia, P.O. Niz Balia, Dist. Howrah	I. N. C.	Hand
5.	Bangali Sharma	26, Rabindra Sarani, Liluah, Howrah	Independent	Rising Sun
6.	Mir Idrish Ali	Vill. Telehati-III, P.O. Jagat Ballavpur-II, Dist. Howrah	Independent	Bicycle

Howrah
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		168—PANCHLA ASSEMBLY CONSTITUENCY		
1.	Gulsan Mullick	Vill. & P.O. Gabbaria, P.S. Panchla, Howrah	Indian National Congress	Hand
2.	Ranjan Paul	Vill. & P.O. Biki, Hakola, P.S. Panchla, Howrah	Bharatiya Janata Party	Lotus
3.	Sailen Mondal	Vill. Sankkhali, P.O. Gobardhan Bati, P.S. Panchla, Howrah	All India Forward Bloc	Lion
4.	Santosh Kumar Das	Vill. & P.O. Gangadharpur, P.S. Panchala, Howrah	Forward Bloc (Socialist)	Rising Sun

Howrah
6th April, 1996

Sd/-
Returning Officer

		169—SANKRAIL (SC) ASSEMBLY CONSTITUENCY		
1.	Ajit Mondal	Vill. Jhorehat (Madhya), P.O. Jhorehat, P.S. Sankrail, Howrah	Bahujan Samaj Party	Elephant
2.	Prasad Suphal Chand	Vill. Huglapara, Block-'C', Room No. 11, P.O. Banipur, P.S. Sankrail, Howrah	Independent	Aeroplane
3.	Basudeb Dhali	Vill. Manickpur, P.O. Delta Mill, Howrah	Communist Party of India (Maxist)	Hammer, Sickle and Star
4.	Ramesh Chandra Sardar	Vill. Manickpur, P.O. Delta Mill, P.S. Sankrail, Howrah	Bharatiya Janata Party	Lotus
5.	Sital Kumar Sardar	Vill & P.O. Podra, P.S. Sankrail, Howrah	Indian National Congress	Hand

Howrah
6th April, 1996

Sd/-
Returning Officer

		170—ULUBERIA NORTH (S.C.) ASSEMBLY CONSTITUENCY		
1.	Apurba Lal Majumdar	P-115/1, Benaras Road, P.O. Netajigarh, Dist. Howrah	All India Indira Congress (Tewari)	Lady Offering Flowers
2.	Asta Das	Vill. & P.O. Chengail, Dist. Howrah	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Pradyut Karan	Vill. & P.O. Basudevpur, P.S. Uluberia, Dist. Howrah	Bharatiya Janata Party	Lotus
4.	Madan Mohan Dalui	Vill. Bahirtofa, P.O. Jadurberia, Dist. Howrah	Independent	Ladder
5.	Ramjanam Manjhi	Chengail Ludlow Labour Line No. 20/1, P.O. Chengail, Dist. Howrah	Indian National Congress	Hand

Uluberia
6th April, 1996

Sd/-
Returning Officer

		171—ULUBERIA SOUTH CONSTITUENCY		
1.	Anjan Majumdar	P-114, Benaras Road, Howrah, P.O. Netajigarh, P.S. Liluah, Howrah	Independent	Two Leaves
2.	Abdul Khaliq Khan	Vekutal Dakshin Khan and Kazipara Tapna, Uluberia-I, Uluberia, Howrah	Amra Bangalee	Rising Sun
3.	Ghosh Rabindra	Vill & P.O. Kaijuri, P.S. Uluberia, Howrah	All India Forward Bloc	Lion
4.	Tapan Kumar Ray	Vill. Bamunhati, P.O. Mohishrekha, Howrah	Bharatiya Janata Party	Lotus

1	2	3	4	5
5.	Nirmal Das	Vill. Bhawanipur South, P.O. Gohalberia, Dist. Howrah	Shivsena	Bow And Arrow
6.	Pulak Roy	Vill. Mahadevpur, P.O. South Ramchandrapur, Dist. Howrah	Indian National Congress	Hand
7.	Raghunath Kayal	Vill-Bisheswarpur, P.O. Sandalpur, Howrah	Independent	Bi-Cycle
8.	SK. Joynal Abedin	Vill. Amtala, P.O. Sundrapur Uluberia, Howrah	Independent	Boat
9.	SK. Zulfikar Ali	Bazarpara, Uluberia,Howrah	Independent	Ladder

Uluberia
6th April, 1996

Sd/-
Returning Officer

172—SHYAMPUR ASSEMBLY CONSTITUENCY

1.	Jaladhar Samanta	Vill. Amarpur P.O. Guriapole Dist. Howrah	All India Forward Bloc	Lion
2.	Jnan Ranjan Samanta	Vill. Sultanpur, P.O. Ramnagar Dist. Howrah	Independent	Hand-Pump
3.	Nikhil Kabiraj	Vill. & P.O. Ramnagarr, Dist. Howrah	Independent	Bicycle
4.	Basudev Mandal	Vill. Nunebar, P.O. Deoli, Dist. Howrah	Independent	Bow And Arrow
5.	Monoranjan Majumdar	Vill. Alpina, P.O. Shyampur, Dist. Howrah	Shivsena	Rising-Sun
6.	Molla Jahangir	Vill. Sitapur, P.O. Amardah, Dist. Howrah	Indian Democratic People's Party	Cocoanut Tree Bearing Fruits
7.	Sanjib Kumar Das	Vill. Belpukur P.O. Ajodhya, Dist. Howrah	I.N.C.	Hand
8.	Sk. Abdul Kalam	Vill. Sitapur, P.O. Amardah, Dist. Howrah	Independent	Ladder
9.	Sowmyendu Khanra	Vill. & P. O. Ramnagar, Dist. Howrah	B.J.P.	Lotus

Uluberia
6th April, 1996

Sd/-
Returning Officer

173—BAGNAN ASSEMBLY CONSTITUENCY

1.	Nirupama Chatterjee	Vill. Kanaipur, P.O. Bantul, District. Howrah	C.P.I. (M)	Hammer, Sickle & Star
2.	Basudev Das	Vill. & P.O. Mugkalyan, District Howrah	Independent	Bicycle
3.	Sabuj Dutta	Vill. Khalore, P. O. Bagnan, District. Howrah	I.N.C.	Hand
4.	Prof. Surajit Mahapatra	Vill Khalore, P. O. Bagnan, District-Howrah	B.J.P.	Lotus
5.	Sekh Mahammad Hanif	Vill. Purba Rabibhag Uttar, P.O. Rabibhag, District Howrah	Independent	Boat
6.	Dr. Syed Saha Alam	Vill. & P.O. Hallyan, District. Howrah	Independent	Two Leaves

Uluberia
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		174—KALYANPUR ASSEMBLY CONSTITUENCY		
1.	Ashok Manna	Vill. Pipulyan, P.O. Kantapukur, Dist. Howrah	Independent	Two Leaves
2.	Asit Mitra	Vill. & P.O. Deulgram, Dist. Howrah	Indian National Congress	Hand
3.	Jaydev Kanrar	Vill. & P.O. Tulsiberia, Dist. Howrah	Amra Bangalee	Rising Sun
4.	Balai Chandra Basu	Vill. & P.O. Kalyanpur, Dist. Howrah	Bharatiya Janata Party	Lotus
5.	Maqsud Ahmed	Vill. Bagur, P.O. Subsit, Dist. Howrah	Communist Party of India (Marxist)	Hammer, Sickle and Star
6.	Sk. Mujibar Rahaman	Vill. Paikpari, P.O. Antila, Dist. Howrah	Independent	Ladder

Uluberia
6th April, 1996

Sd/-
Returning Officer

		175—AMTA ASSEMBLY CONSTITUENCY		
1.	Tapan Dhara	Vill. Balipota, P.O. Amta, Dist. Howrah	Bharatiya Janata Party	Lotus
2.	Pratyush Mukherjee	Vill. Amta Uttarpara, P.O. & P.S. Amta, Dist. Howrah	Communist Party of India (Marxist)	Hammer, Sickle & Star
3.	Prasun Bakuly	Vill. Gujurpur, P.O. Saltighata, (Gujarpur), Dist. Howrah	Indian National Congress	Hand
4.	Murari Karar	Vill. & P.O. Udong, Dist. Howrah	Amra Bangalee	Rising Sun

Uluberia
6th April, 1996

Sd/-
Returning Officer

		176—UDAYNARAYANPUR ASSEMBLY CONSTITUENCY		
1.	Kanailal Maity	Vill. Uttar Harishpur, P.O. Pancharul, P.S. Udaynarayanpur, Dist. Howrah	Independent	Two Leaves
2.	Nani Gopal Chowdhury	Vill. & P.O. Rampur, P.S. Udaynarayanpur, Dist. Howrah	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Ranjit Kole	Vill. Binola, P.O. Thalia, Dist. Howrah	Amra Bangalee	Rising Sun
4.	Syamal Ranjan Kanrar	Vill. & P.O. Sonatala, P.S. Udaynarayanpur, Dist. Howrah	Indian National Congress	Hand
5.	Sanat Hazra	Vill. & P.O. Jhikira, P.S. Amta, Dist. Howrah	Bharatiya Janata Party	Lotus

Uluberia
6th April, 1996

Sd/-
Returning Officer

		177—JANGIPARA ASSEMBLY CONSTITUENCY		
1.	Ibha Dey	Vill. & P.O. Jangipara, Dist. Hooghly	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Kanailal Halder	Vill. Chandinagar, P.O. Dwarhatta, Dist. Hooghly	Bharatiya Janata Party	Lotus
3.	Joydeb Chattopadhyay	Vill. Krishnanagar, P.O. Jangipara, Dist. Hooghly	Independent	Aeroplane

1	2	3	4	5
4.	Dwipen Mukherjee	Vill. Krishnanagar, P.O. Jangipara, Dist. Hooghly	Indian National Congress	Hand

Serampore
6th April, 1996

Sd/-
Returning Officer

178 – CHANDITALA ASSEMBLY CONSTITUENCY

1.	Akbor Ali Khandoker	56, Khasbagan Lane, P.O. Sheoraphuli, Dist. Hooghly	Indian National Congress	Hand
2.	Ghosh Malin	Vill. & P.O. Janai, P.S. Chanditala, Dist. Hooghly	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Milan Das	162, G.T. Road, P.O. Sheoraphuli, Dist. Hooghly	Independent	Aeroplane
4.	Rupen Ghosh	Rabindra Bhaban (Main Road) Rabindranagar, P.O. Dankuni, Dist. Hooghly	Bharatiya Janata Party	Lotus

Serampore
6th April, 1996

Sd/-
Returning Officer

179—UTTARPARA ASSEMBLY CONSTITUENCY

1.	Jyotikrishna Chattopadhyay	12, Hemchandra Lane, Kotrung, P.O. Bhadrakali, Hooghly	Communist Party of India (Marxist)	Hammer, Sickle & Star
2.	Pabitra Kumar Gupta	36, K.C.M. Sarani (Sakher Bazar Lane) P.O. Bhadrakali, Hooghly	Indian National Congress	Hand
3.	Prabir Kundu	100, B.B.D. Road, P.O. Hindmotor, Hooghly	Independent	Aeroplane
4.	Radha Bhaumik	6, Matilal Roy Lane, P.O. Bhadrakali, Hooghly	Bharatiya Janata Party	Lotus
5.	Surendra Prasad	39D, G.T. Road, East, Police Phanri, P.O. Konnagar, Hooghly	Independent	Rising Sun

Serampore
6th April, 1996

Sd/-
Returning Officer

180 – SERAMPORE ASSEMBLY CONSTITUENCY

1.	Asimes Goswami	663, G.T. Rd., (North) Serampore, Hooghly	Communist Party of India (Marxist)	Hammer, Sickle & Star
2.	Kahar Ashok	10, Dr. G.C. Goswami St., P.O. Serampore, Dist. Hooghly	Independent	Ladder
3.	Chatterjee Dulalchandra	67E, Ganguli Bagan Lane, Mahesh, Serampore, Hooghly	Independent	Spectacle
4.	Jyoti Chowdhury	43, G.T. Rd., (West), Mullickpara, Serampore, Hooghly	Indian National Congress	Hand
5.	Daroga Ray	88, Haran Banerjee Lane, Konnagar, Hooghly	Independent	Rising Sun
6.	Ranjit Chatterjee	105/4, Sekhpara Lane, Howrah-4	Independent	Two Leaves
7.	Shibmurti Tripathi	2/143A, Mahesh Colony, Mahes, Serampore, Hooghly	Bharatiya Janata Party	Lotus

1	2	3	4	5
8.	Sheshnath Thakur	13, R.N. Shaw Rd., Rishra, Hooghly	Independent	Bow & Arrow
9.	Professor Swaraj Mukhopadhyay	175/C.Q.T. Rd., (West), Serampore, Hooghly	All India Indira Congress (Tewari)	Lady Offering Flowers

Serampore
6th April, 1996

Sd/-
Returning Officer

181--CHAMPDANI ASSEMBLY CONSTITUENCY

1.	Ashok Chanda	251, Dr. B. C. Roy Sarani, P.O. Rishra, Hooghly	Independent	Boat
2.	Abdul Mannan	15/E, A. P. Ghosh Road, P.O. Chatra, Serampur	Indian National Congress	Hand
3.	Pranayesh Chandra Roy	61, G. T. Road (Rajabagan) 'Rajbag' Baidyabati	Independent	Chair
4.	Ramesh Kumar Gupta	26. Prasanna Kumar Tagore Street, Calcutta	Bharatiya Janata Party	Lotus
5.	Ram Nath Majhi	1, Haran Banerjee Lane, P.O. Konnagar	Independent	Rising Sun
6.	Samar Roy	388, G. T. Road, P.S. Serampore	Independent	Bow and Arrow
7.	Sunil Sarkar	16/1, Charu Chandra Dey Lane P.O. Baidyabati	Communist Party of India (Marxist)	Hammer, Sickle and Star
8.	Prof. Swaraj Mukhopadhyay	175/C, G.T. Road, Serampore	All India Indira Congress (Tewari)	Lady offering Flowers

Serampore
6th April, 1996

Sd/-
Returning Officer

182 - CHANDERNAGORE ASSEMBLY CONSTITUENCY

1.	Kamal Mukherjee	Sabinara, P.O. Chandernagore, Dist. Hooghly	Indian National Congress	Hand
2.	Tandra Bhattacharjee	3 No. Mahadanga, (Sriniketan Pally) P.O. & P.S. Chandernagore, Dist. Hooghly	Bharatiya Janata Party	Lotus
3.	Dibyendu Guha	599, Dr. H. Dey Rd. Burasibtala, Dist. Hooghly	Independent	Rising Sun
4.	Deb Kumar Shil	Urdibazar, P.O. Chandernagore, Dist. Hooghly	Independent	Two Leaves
5.	Nani Gopal Bhattacharya	Barasat Banerjee Para, P.O. & P.S. Chandernagore, Dist. Hooghly	Independent	Axe
6.	Madan Mohan Roy	5, Panchanantala Lane, Krishnapatty, P.O. Telenipara, Bhadreswar, Dist. Hooghly	Independent	Cart
7.	Shambhu Das	Narayanpur, Kodalia-2, P.O. Bandel, Dist. Hooghly	Shivsena	Bow and Arrow
8.	Sandhya Chattopadhyay	Surpara, P.O. Chandernagore, Dist. Hooghly	Communist Party of India (Marxist)	Hammer, Sickle and Star

Chandernagore
6th April, 1996

Sd/-
Returning Officer

183--SINGUR ASSEMBLY CONSTITUENCY

1.	Tarani Chandra Das	Vill. & P.O. Mirzapur-Bankipur, Via-Singur, Dist. Hooghly	Independent	Ladder

1	2	3	4	5
2.	Das Bidyut Kumar	Vill. Kismat Apurbapur, P.O. Singur, Dist. Hooghly	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Dwijaprosad Bhattacharya	Vill. & P.O. Jalaghata, Dist. Hooghly	Indian National Congress	Hand
4.	Bimalendu Sinha Roy	Satmandirtala, Singur, Dist. Hooghly	Independent	Car
5.	Satya Narayan Paswan	Ganges Jute Mill, Old Line Qt. No. 453-797, Dist. Hooghly	Independent	Rising Sun
6.	Sulekha Malik	Vill. Gobindapur, P.O. Diwara, Dist. Hooghly	Independent	Two Leaves
7.	Soumya Chatterjee	5, Chatrabazar Lane, P.S. Serampore, Dist. Hooghly	Bharatiya Janata Party	Lotus

Chandernagore
6th April, 1996

Sd/-
Returning Officer

184—HARIPAL ASSEMBLY CONSTITUENCY

1.	Kali Prasad Biswas	Vill. Hara, P.O. Brahmanpara, Dist. Hooghly	Communistt Party of India (Marxist)	Hammer, Sickle and Star
2.	Gobardhan Karmakar	Vill. & P.O. Illipur, Dist. Hooghly	Bharatiya Janata Party	Lotus
3.	Rabindra Nath Chattopadhyay	Vill. & P.O. Paschim Gopinathpur, P.S. Haripal, Dist. Hooghly	Independent	Rising Sun
4.	Samiran Mitra	Vill. Kalubati, Bhagabatipur Purbapara, P.O. & P.S. Haripal, Dist. Hooghly	Indian National Congress	Hand
5.	Surajit Debray	Vill. Barabahera (Purba), Via-Nabagram, P.S. Uttarpara, Dist. Hooghly	Independent	Bicycle

Chandernagore
6th April, 1996

Sd/-
Returning Officer

185—TARAKESWAR ASSEMBLY CONSTITUENCY

1.	Ajit Kumar Ghosh	Vill. & P.O. Duttapur, P.S. Tarakeswar, Dist. Hooghly	Indian National Congress	Hand
2.	Pratim Chatterjee	Golf Green Urban Complex, Premises No. Phase-III, Type-W 2B, Block-14, 4th Floor, Flat-14/10, Cal-45	Communist Party of India (Marxist)	Hammer, Sickle & Star
3.	Sukumar Khanra	Vill. & P.O. Astara, P.S. Tarakeswar, Dist. Hooghly	Bharatiya Janata Party	Lotus

Chandernagore
6th April, 1996

Sd/-
Returning Officer

186—CHINSURAH ASSEMBLY CONSTITUENCY

1.	Arunava Bhattacharya	Kanakshally, P.O. Chinsurah, Dist. Hooghly	Independent	Aeropiane
2.	Jagadish Saw	Mithapukur, Tirishbigha, P.O. Adeconagar, Hooghly	Independent	Boat
3.	Tapan Dasgupta	Barabazar, P.O. Chinsurah, Hooghly	Indian National Congress	Hand
4.	Naren Dey	Barabazar, P.O. Chinsurah, Hooghly	All India Forward Bloc	Lion

1	2	3	4	5
5.	Nikhil Chakraborty	Pathak Bagan, P.O. & Dist. Hooghly	Shiv Sena	Bow and Arrow
6.	Bimalendu Chakraborty	Mallick Kashim Hat, P.O. Chinsurah, Hooghly	Bharatiya Janata Partty	Lotus
7.	Shyama Prasad Shaw	Hanseswari Road, P.O. Bansberia, Hooghly	Independent	Bicycle
8.	Sridhar Chakraborty	Kanakshally, P.O. Chinsurah, Hooghly	Independent	Two Leaves
9.	Subrata Sarkar	South Naldanga, P.O. Chinsurah, Dist. Hooghly	Independent	Rising Sun

Chinsurah
6th April, 1996

Sd/-
Returning Officer

187 -BANSBERIA ASSEMBLY CONSTITUENCY

1.	Kali Prasad Patwa	Rudra Main Road, Ganges Jute Mill, New Line Quarter No. 253-628, Bansberia, Hooghly	Independent	Boat
2.	Pradip Kumar Basu	76, Dakshinpara Main Road (Eastpar), P.O. Chinsurah, Dist. Hooghly, Pin 712502	Independent	Axe
3.	Prabir Kumar Saha	Khamarpara Shibtala, P O. Bansberia, P.S. Chinsurah, Dist. Hooghly	Independent	Ladder
4.	Prabir Sen Gupta	'Prafulla Bhaban', Goaltuli, P.O. & Dist. Hooghly	Communist Party of India (Marxist)	Hammer, Sickle and Star
5.	Bikash Karmakar	Jhampukur Colony, P.O. Sahaganj, Dist. Hooghly	Shiv Sena	Boy and Girl
6.	Rabilal Sonkar	Ganges Jute Mill, Old Line Qtr. No. 597/598, P.O Bansberia, Dist Hooghly	Independent	Rising Sun
7.	Robin Mukherjee	Abinash Bhawan, Abinash Mukherjee Road, P.O. & Dist. Hooghly	Indian National Congress	Hand
8.	Rita Mukherjee	Benia Lane, Bansberia, P.O Bansberia, Dist. Hooghly	Bharatiya Janata Party	Lotus
9.	Shankari Hemram	Vill. & P.O. Jamgram, Dist Hooghly	Jharkhand Mukti Morcha	Bow and Arrow

Chinsurah
6th April, 1996

Sd/-
Returning Officer

188 BALAGARH (S.C.) ASSEMBLY CONSTITUENCY

1.	Krishna Chandra Lohar	Vill. & P.O. Gopalpur, Dist. Hooghly	Bharatiya Janata Party	Lotus
2.	Dibakanta Routh	Srikanta, P.O. Dumardaha, Dist. Hooghly	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Biswanath Malik	Vill. Tentulia, P.O. Sripur Bazar, Dist. Hooghly	Indian National Congress	Hand
4.	Sakti Chandra Malik	Vill. Tentulia, P.O. Sripur Bazar, Dist. Hooghly, Pin-712514	Independent	Two Leaves

Chinsurah
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		189—PANDUA ASSEMBLY CONSTITUENCY		
1.	Ansar Ali	Khanyan Station Bazar, P.O. Khanyan, Dist. Hooghly	Independent	Boat
2.	Ali Sk. Majed	Vill. Srirambati, P.O. Magura, Dist. Hooghly	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Gopal Ghosh	Vill. Sanchitara, P.O. Balun, Dist. Hooghly	Communist Party of India (Marxist-Lennist) (Liberation)	Ladder
4.	Bidur Pramanik	Station Road, P.O. Pandua, Dist. Hooghly, Pin.-712149	Bharatiya Janata Party	Lotus
5.	Madan Mohan Hansda	Vill. Boinchigram, (Pub Para), P.O. Boinchigram, Dist. Hooghly	Independent	Drum
6.	Madhusudan Banerjee	Vill. Kshirkundi, P.O. Pandua, Dist. Hooghly	Indian National Congress	Hand
7.	Lakhsmi Narayan Bauldas	Vill. & P.O. Haridaspur, (Via.-Itachuna), Dist. Hooghly, Pin-712147	Bahujan Samaj Party	Elephant
8.	Sk. Moniruddin	Vill. & P.O. Boinchigram, Dist. Hooghly	Independent	Bow and Arrow

Chinsurah
6th April, 1996

Sd/-
Returning Officer

		190—POLBA ASSEMBLY CONSTITUENCY		
1.	Jaladhur Chakrabartty	Vill. Alipur, P.O. Alipur, Dist. Hooghly	Bharatiya Janata Party	Lotus
2.	Mainul Haque	Vill. Korola, P.O. Debanandapur, P.S. Polba, Dist. Hooghly	Indian National Congress	Hand
3.	Rabin Das	Debanandapur, G.P. Debanandapur, P.S. Chinsurah, Dist. Hooghly	Shiv Sena	Bow and Arrow
4.	Rabindranath Chattopadhya	Hanral, G.P. & P.S. Dadpur, Dist. Hooghly	Forward Block (Socialist)	Rising Sun
5.	Saktipada Khanra	Vill. Birendranagar, P.O. Kaswara, Dist. Hooghly	Communist Party of India (Marxist)	Hammer, Sickle and Star
6.	Satkari Chattopadhayay	Vill. Saturia, P.O. Charagram, P.S. Dhaniakhali, Dist. Hooghly	Indian Democratic People's Party	Two Leaves

Chinsurah
6th April, 1996

Sd/-
Returning Officer

		191—DHANIAKHALI (S.C.) ASSEMBLY CONSTITUENCY		
1.	Asima Patra	Vill. Muidipur, P.O. Majinan, P.S. Dhaniakhali, Dist. Hooghly	Indian National Congress	Hand
2.	Kripasindhu Saha	Netaji Subhas Road, Chinsurah, Pin-712101	All India Forward Bloc	Lion
3.	Suhrid Saha	Vill. Banna, P.O. Routhpur, P.S. Dhaniakhali, Dist. Hooghly	Bharatiya Janata Party	Lotus

Chinsurah
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5

192—PURSURAH ASSEMBLY CONSTITUENCY

1.	Gour Mohan Maity	Vill. Sundarash, P.O. Ankri-Srirampur, P.S. Pursurah, Dist. Hooghly	Indian National Congress	Hand
2.	Nimai Mal	Vill & P.O. Keshabpur, P.S. Arambagh, Dist. Hoghly	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Subhendu Mukherjee	Vill. Shyampur, P.O. Par-Shyampur, P.S. Pursurah, Dist. Hooghly	Bharatiya Janata Party	Lotus
4.	Sukumar Guchait	Vill. Udna, P.O. Balipur, P.S. Khanakul, Dist. Hooghly	Amra Bangalee	Rising Sun

Arambagh
6th April, 1996

Sd/-
Returning Officer

193—KHANAKUL (S.C.) ASSEMBLY CONSTITUENCY

1.	Tarun Saha	Vill. Naoda-Narayanpur, P.O. Khanakul, P.S. Khanakul, Dist. Hooghly	Bharatiya Janata Party	Lotus
2.	Banshi Badan Maitra	Vill. Purba-Radhanagar, P.O. Ghole, P.S. Khanakul, Dist. Hooghly	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Basudeb Hajra	Vill. Kachra, P.O. Thakuranichak, P.S. Khanakul, Dist. Hooghly	Indian National Congress	Hand
4.	Santi Roy	Vill. Udna, P.O. Balipur, P.S. Khanakul Dist. Hooghly	Amra Bangalee	Rising Sun

Arambagh
6th April, 1996

Sd/-
Returning Officer

194—ARAMBAGH ASSEMBLY CONSTITUENCY

1.	Dr. Anath Bandhu Dey	Vill. & P.O. Arambagh, P.S. Arambagh, Dist. Hooghly	B.J.P.	Lotus
2.	Abdus Sukur	Vill. & P.O.. Karui, P.S. Arambagh, Dist. Hooghly	I. N. C.	Hand
3.	Binoy Datta	Vill. Kalipur, Ward No. 12, P.O. & P.S. Arambagh, Dist. Hooghly	C.P.I.(M)	Hammer, Sickle and Star
4.	Sadananda Pal	Vill. Arambagh (Satitala) P.O. & P.S. Arambagh, Dist. Hooghly	Independent	Aeroplane

Arambagh
6th April, 1996

Sd/-
Returning Officer

(S.C.)

195—GOGHAT ASSEMBLY CONSTITUENCY

1.	Dr. Nanuram Roy	Vill. & P.O. Naisarai, P.S. Arambagh, Dist. Hooghly	Independent	Rising Sun
2.	Banamali Katari	Vill. Idalbati, P.O. Sonai, P.S. Goghat, Dist. Hooghly	Independent	Bicycle
3.	Mahadeb Santra	Vill. Kota, P.O. Paba, P.S. Goghat, Dist. Hooghly	B.J.P.	Lotus
4.	Lakshmi Charan Kanri	Vill. & P.O. Fulai, P.S. Goghat, Dist. Hooghly	I. N. C.	Hand

1	2	3	4	5
5.	Shiba Prasad Malick	Vill. Arjungoria, P.O. Paba, P.S. Goghat, Dist. Hooghly	All India Forward Bloc	Lion

Arambagh
6th April, 1996

Sd/-
Returning Officer

196—CHANDRAKONA ASSEMBLY CONSTITUENCY

1.	Gurupada Dutta	Vill. Hambazar, Ward No. 1, Chandrakona Municipality, P.O. + P.S. Chandrakona, Dist. Midnapore	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Mangala Charan Dinda	Vill. Bara Akna, P.O. Kalakori, Dist. Midnapore	Bharatiya Janata Party	Lotus
3.	Malay Bhattacharya	Vill. + P.O. Khirpai, Dist. Midnapore	Indian National Congress	Hand

Ghatal
6th April, 1996

Sd/-
Returning Officer

(S.C)

197—GHATAL ASSEMBLY CONSTITUENCY

1.	Abhiram Dolui	Vill. Sadichak, P.O. Ghatal, Dist. Midnapore	Bharatiya Janata Party	Lotus
2.	Rajani Kanta Dolui	Rabindra Nagar, P.O. + Dist. Midnapore	Indian National Congress	Hand
3.	Ratan Pakhira	Vill. Kamargeria, P.O. Harinagar, Dist. Midnapore	Communist Party of India (Marxist)	Hammer, Sickle and Star
4.	Shyamapada Dolui	Vill. Konnagar, P.O. Ghatal, Dist. Midnapore	Amra Bangalee	Rising Sun

Ghatal
6th April, 1996

Sd/-
Returning Officer

198—DASPUR ASSEMBLY CONSTITUENCY

1.	Goswami Jagannath	Vill. Konnagar, P.O. Ghatal, Dist. Midnapore	Indian National Congress	Hand
2.	Birendra Paul	Vill. Kheput (Dakshinbar), P.O. Kheput, Dist. Midnapore	Bharatiya Janata Party	Lotus
3.	Mukhopadhyay Chitta Ranjan	Vill. & P.O. Sribara, Dist. Midnapore	Communist Party of India (Marxist)	Hammer, Sickle & Star

Ghatal
6th April, 1996

Sd/-
Returning Officer

199—NANDANPUR ASSEMBLY CONSTITUENCY

1.	Gourhari Giri	Vill. Dhananjoypore, P.O. Ratulia, Dist. Midnapore	Bharatiya Janata Party	Lotus
2.	Chhaya Bera	Vill. Barbarisha, P.O. Kolaghat, Dist. Midnapore	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Nirmal Maity	Vill. & P.O. Shyamsundarpur Patna, Dist. Midnapore	Indian National Congress	Hand
4.	Sukumar Maity	Vill. & P.O. Khukurdaha, Dist. Midnapore	Independent	Bow and Arrow

Ghatal
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		200—PANSKURA WEST ASSEMBLY CONSTITUENCY		
1.	Ajit Bhowmik	Vill. Dakshin Gopalpur, P O. Panskura, Dist. Midnapore	Independent	Aeroplane
2.	Khan Jakiur Rahaman	Vill. Bahargram, P O.Panskura R.S., Dist. Midnapore	Indian National Congress	Hand
3.	Chittaranjan Das Thakur	Vill. Naranda, P.O. Naranda, Dist. Midnapore	Communist Party of India	Ears of Corn and Sickle
4.	Nishith Maiti	Vill. Tilandapur, P.O. Panskura, Dist. Midnapore	Independent	Bicycle
5.	Bishnupada Kuiti	Vill. Bahargram, P O. Panskura R.S. Dist. Midnapore	Bharatiya Janata Party	Lotus
6.	Sadhan Pattanayak	Vill. & P.O. Raghunathbari, Dist. Midnapore	Amra Bangalee	Rising Sun

Tamluk
6th April, 1996

Sd/-
Returning Officer

		201—PANSKURA EAST ASSEMBLY CONSTITUENCY		
1.	Tusar Kanti Das	Vill. Janubasan, P O. Nonakuri Bazar, Dist. Midnapore	Bharatiya Janata Party	Lotus
2.	Biplab Raychowdhury	Vill. Kola, P.O. Kolaghat, Dist. Midnapore	Indian National Congress	Hand
3.	Mullick Hyder	Vill. Sluka, P.O. Saluka, Dist. Midnapore	Independent	Aeroplane
4.	Sarkar Sisir	Vill. Sahapur, P.O. Kolaghat, Dist. Midnapore	Communist Party of India (Marxist)	Hammer, Sickle Star
5.	Haripada Pramanik	Vill Sahapur, P.O. Kolaghat, Dist. Midnapore	Independent	Bicycle

Tamluk
6th April, 1996

Sd/-
Returning Officer

		202—TAMLUK ASSEMBLY CONSTITUENCY		
1.	Anil Mudi	Vill. Kapasberia, P.O. Uttar Sonamui, Dist. Midnapore	Indian National Congress	Hand
2.	Tridivesh Pramanik	Vill. Bhuban Kalua, P.O. Kelomal, Dist. Midnapore	Independent	Two Leaves
3.	Matilal Khatua	Vill. Parbatipur, P.O. Tamluk, Dist. Midnapore	Bharatiya Janata Party	Lotus
4.	Manab Bera	Vill. Abasbari, P.O. Tamluk, Dist. Midnapore	Independent	Bi-cycle
5.	Sudhir Ranjan Adhikary	Bhumar Bazar, P.O. Tamluk, Dist. Midnapore	Independent	Aeroplane
6.	Surajit Bagchi	Vill. Rajabazar Padumbasan Town, P.O. Tamluk, Dist. Midnapore	Communist Party of India	Ears of Corn and Sickle

Tamluk
6th April, 1996

Sd/-
Returning Officer

		203 - MOYNA ASSEMBLY CONSTITUENCY		
1.	Ashoke Kumar Mandal	Vill. Srirampore, P.O. Srirampore, Dist. Midnapore	Shiv Sena	Bow and Arrow

1	2	3	4	5
2.	Dipak Bera	Vill. Dakshin Changrachak, P.O. Dakshin Changrachak, Dist. Midnapore	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Nakul Chandra Jana	Vill. Narikeldah, P.O. Asnan, Dist. Midnapore	Independent	Bi-cycle
4.	Manik Bhowmik	Vill. & P.O. Purba-Dakshin Moyna, Dist. Midnapore	Indian National Congress	Hand
5.	Subhash Das Gajendra Mahapatra	Garsafat Moyna, Midnapore	Bharatiya Janata Party	Lotus

Tamluk
6th April, 1996

Sd/-
Returning Officer

204—MAHISADAL ASSEMBLY CONSTITUENCY

1.	Chakraborty Surya	Vill. Garkamalpur, P.O. Mahisadal, Dist. Midnapore	C.P.I.(M)	Hammer Sickle and Star
2.	Chatterjee Bipradas	Vill. Garkamalpur, P.O. Mahisadal, Dist. Midnapore	C.P.I (M.L.) (Liberation)	Ladder
3.	Tapan Maity	Vill. Garkamalpur, P.O. Mahisadal, Dist. Midnapore	Independent	Bi-cycle
4.	Bag Sitalprasad	Vill. Tajpur, P.O. Rajarampur, Dist. Midnapore	B.J.P.	Lotus
5.	Sukumar Das	Vill. Parbatipur, P.O. Mahisadal, Dist. Midnapore	I.N.C.	Hand

Haldia
6th April, 1996

Sd/-
Returning Officer

205 - SUTAHATA (S.C.) ASSEMBLY CONSTITUENCY

1.	Kalipada Das	Vill. Kasipur, P.O. Dorokashipur, Dist. Midnapore	B.J.P.	Lotus
2.	Tushar Kanti Mandal	Vill. Dundupur, P.O. Tajnagar, Dist. Midnapore	I.N.C.	Hand
3.	Nityananda Bera	Vill. Barbasudebpur, P.O. Barbasudebpur, Dist. Midnapore	C.P.I. (M)	Hammer Sickle and Star
4.	Srikesh Chandra Pramanik	Vill. Rajnagar, P.O. Tajnagar, Dist. Midnapore	Independent	Bi-cycle

Haldia
6th April, 1996

Sd/-
Returning Officer

206—NANDIGRAM ASSEMBLY CONSTITUENCY

1.	Joydeb Satpati	Vill. Purushottampur, P.O. Nandigram, Dist. Midnapore	B.J.P.	Lotus
2.	Debisankar Panda	Vill Purushottampur, P.O. Nandigram, Dist. Midnapore	I.N.C.	Hand
3.	Nirmalendu Pahari	Vill. Daudpur, P.O. Daudpur (Nandi), Dist. Midnapore	Independent	Boat
4.	Bhabaniprasad Das	Vill. Gopimohanpur, P.O. Rajaramchak, Dist. Midnapore	Independent	Bi-cycle

1	2	3	4	5
5.	Sakti Bal	Vill. Gadaibalbar, P.O. Nandigram, Dist. Midnapore	C.P.I.	Ears of Corn and Sickle

Haldia
6th April, 1996

Sd/-
Returning Officer

207—NARGHAT ASSEMBLY CONSTITUENCY

1.	Tapan Kar	Vill. Habichak, P.O. Nandapur, Dist. Midnapore	Bharatiya Janata Party	Lotus
2.	Brahmamoy Nanda	Vill. Padumbasan Town, P.O. Tamluk, Dist. Midnapore	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Ranajit Khuntia	Vill. Nargram, P.O. Narghat, Dist. Midnapore	Shivsena	Bow and Arrow
4.	Suvendu Kumar Bej	Vill. Gobardhanpur, P.O. Mathchandipur, Dist. Midnapore	Indian National Congress	Hand
5.	Swades Manna	Vill. Fulni, P.O. Barsimulbari, Dist. Midnapore	Independent	Aeroplane

Tamluk
6th April, 1996

Sd/-
Returning Officer

208—BHAGWANPUR ASSEMBLY CONSTITUENCY

1.	Amal Roy	Vill. Benudia, P.O. Bhagwanpur, Dist. Midnapore	B.J.P.	Lotus
2.	Khanra Ajit	Vill. Rabindranagar, P.O. & Dist. Midnapore	I.N.C.	Hand
3.	Das Narayanchandra	Vill. & P.O. Bhagwanpur, Dist. Midnapore	Independent	Bi-cycle
4.	Nani Gopal Bera	Vill. Hatabari, P.O. Contai, Dist. Midnapore	Independent	Bow & Arrow
5.	Pradhan Prasanta Kumar	Vill. Bajaberia, P.O. Srikrishnapur, Dist. Midnapore	C.P.I.(M)	Hammer, Sickle & Star

Contai, Midnapore
6th April, 1996

Sd/-
Returning Officer

209—KHAJURI (S.C.) ASSEMBLY CONSTITUENCY

1.	Giridhari Mondal	Vill. Shyampur, P.O. Syllaberia, Dist. Midnapore	B.J.P.	Lotus
2.	Mandal Ramchandra	Vill. Khejuri, P.O. Khejuri, Dist. Midnapore	C.P.I.(M)	Hammer, Sickle & Star
3.	Sunirmal Paik	Vill. Barakashafalia, P.O. Janka, Dist. Midnapore	I.N.C.	Hand

Contai, Midnapore
6th April, 1996

Sd/-
Returning Officer

210—CONTAI NORTH ASSEMBLY CONSTITUENCY

1.	Kali Pada Maity	Vill. Jalalpur, P.O. Bahitrakunda, Dist. Midnapore	Independent	Two Leaves
2.	Chakradhar Maikap	Vill. Murisai, P.O. Murisai, Dist. Midnapore	C.P.I.(M)	Hammer, Sickle & Star
3.	Jagannath Das,	Vill. Parihara, P.O. Dhandalibarh, Dist. Midnapore	Independent	Bi-cycle

1	2	3	4	5
4	Bisweswar Panda	Vill. Kasmili, P.O. Contai, Dist. Midnapore	B.J.P.	Lotus
5.	Maiti Mukul Bikash	Vill Sarada, P.O Sarada, Dist. Midnapore	I N.C.	Hand
6.	Rupkumar Kayal	Vill Paikbarh, P.O Deulbarh, Dist Midnapore	Independent	Rising Sun
7.	Sukumar Jana	Vill Katigan, P O Bahitrakunda, Dist Midnapore	Independent	Bow & Arrow

Contai, Midnapore
6th April, 1996

Sd/-
Returning Officer

211—CONTAI SOUTH ASSEMBLY CONSTITUENCY

1	Aniljit Jana	Vill. Gopinathpur, P.O. Basantia, Dist Midnapore	Independent	Ladder
2.	Arun Das	vill. Kumarpur, P.O. Contai, Dist Midnapore	Independent	Rising Sun
3.	Asokraj Karan	Vill. Monoharchak, P.O. Contai, Dist. Midnapore	Independent	Bow & Arrow
4.	Parijat Pallab Biswas	Vill. Hatabari, P O. Contai, Dist. Midnapore	B.J P.	Lotus
5.	Sailaja Kumar Das	Vill Hatabari, P.O. Contai, Dist Midnapore	I.N C.	Hand
6.	Sukhendu Maiti	Vill. Athilagori, P.O. Contai, Dist Midnapore	C P.I.	Ears of Corn & Sickle
7.	Sayed Jeaur Rahaman Boksh	Vill. Badhia, P.O. Namal, Dist. Midnapore	Independent	Two Leaves
8	Heramba Kumar Das	Vill. Darua, P.O Darua, Dist. Midnapore	Independent	Bi-cycle

Contai Midnapore
6th April, 1996

Sd/-
Returning Officer

212—RAMNAGAR ASSEMBLY CONSTITUENCY

1	Anilbaran Hajra	Vill. Kalindi, P O Kalindai, Dist Midnapore	B.J.P.	Lotus
2.	Dipak Kumar Das	Vill Purbapurusottampur, P.O Kalindi, Dist Midnapore	I.N .C.	Hand
3.	Mrinal Kanti Roy	Vill. Hamirpur, P O Depal, Dist. Midnapore	C . I (M)	Hammer, Sickle & Star
4	Sk Md. Mashiruddin	Vill. Kalindi, P O Kalindi, Dist Midnapore	Independent	Two Leaves
5.	Satyaranjan Das	Vill. Bagpura, P.O. Balisai, Dist. Midnapore	Independent	Bow & Arrow

Contai, Midnapore
6th April, 1996

Sd/-
Returning Officer

213—EGRA ASSEMBLY CONSTITUENCY

1	Binay Pahari	Vill Mahespur, P.O. Mahespur, Dist Midnapore	B.J.P.	Lotus
2.	Ramshankar Jana	Vill. Egra (Adlabad), P.O. Egra, Dist. Midnapore	Independent	Bow & Arrow

1	2	3	4	5
3.	Sinha Prabodh Chandra	Vill. Kultikri, P.O. Kultikri-Aranga, Dist. Midnapore	C.P.I.(M)	Hammer, Sickle & Star
4.	Sohanjyoti Maiti	Vill. Kasba Egra, P.O. Egra, Dist. Midnapore	I.N.C.	Hand

Contai, Midnapore
6th April, 1996

Sd/-
Returning Officer

214 – MUGBERIA ASSEMBLY CONSTITUENCY

1.	Kiranmay Nanda	Vill. Suadighi, P.O. Mugberia, Dist. Midnapore	C.P.I.(M)	Hammer, Sickle & Star
2.	Narendra Das	Vill. Madhakhali, P.O. Bhupatinagar, Dist. Midnapore	Independent	Bi-cycle
3.	Narayan Mukherjee	Vill. Durgachak, P.O. Durgachak, Dist. Midnapore	I.N.C.	Hand
4.	Prabhas Maiti	Vill. Ektarpur, P.O. Bhupatinagar, Dist. Midnapore	Independent	Bow & Arrow
5.	Sadananda De	Vill. Baghadari, P.O. Baghadari, Dist. Midnapore	B.J.P.	Lotus

Contai, Midnapore
6th April, 1996

Sd/-
Returning Officer

215—PATASHPUR ASSEMBLY CONSTITUENCY

1.	Anil Goswami	Vill. & P.O. Palpara, Dist. Midnapore	B.J.P.	Lotus
2.	Kamakhyanandan Das Mahapatra	C.P.I. Office, Patashpur, P.O. Patashpur, Dist. Midnapore	C.P.I.	Ears of Corn & Sickle
3.	Das Bimalkumar	Vill. & P.O. Naipur, Dist. Midnapore	Independent	Apple
4.	Paresh Chandra Bhunia	Vill. & P.O. Makrampur, Dist. Midnapore	I.N.C.	Hand
5.	Prafulla Kumar Kar	Vill. & P.O. Amarpur, Dist. Midnapore	Independent	Rising Sun
6.	Shubhra Kanti Samanta	Vill. Hatabari, P.O. Contai, Dist. Midnapore	Independent	Bow & Arrow
7.	Syamapada Bera	Vill. & P.O Chandanpur, Dist. Midnapore	Independent	Car

Contai, Midnapore
6th April, 1996

Sd/-
Returning Officer

216—SABONG ASSEMBLY CONSTITUENCY

1.	Jana Nagendranath	Sabong (Balarampur), P.O. Sabong	B.J.P.	Lotus
2.	Dr. Bangal Makhanlal	Vill. Shibchak, P.O. Bishnupur Bazar, Sabong	Independent	Bi-cycle
3.	Bhusan Mandal	Vill. Chandagobra, P.O. Chhatar Khole	Independent	Ladder
4.	Dr. Manas Bhunia	Vill. Vikini Nischintapur, P.O. Badalpur	I.N.C.	Hand

Kharagpore
6th April, 1996

Sd/-
Returning Officer

217—PINGLA ASSEMBLY CONSTITUENCY

1.	Anil Jana	Vill. Maligram, P.O. Maligram, P.S. Pingla, Dist. Midnapore	Independent	Bi-cycle

1	2	3	4	5
2.	Ram Pada Samanta	Vill. Maligram, P.O. Maligram, P.S. Pingla, Dist. Midnapore	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Sukesh Maity	Vill. Lakshmipari, P.O. Lakshmipari, P.S. Pingla, Dist. Midnapore	Bharatiya Janata Party	Lotus
4.	Swapan Dobe	Vill. Handla, P.O. Handla, P.S. Narayangarh, Dist. Midnapore	Indian National Congress	Hand

Kharagpur
6th April, 1996

Sd/-
Returning Officer

218—DEBRA ASSEMBLY CONSTITUENCY

1.	Arun Kumar Das	Vill. Saranja, P.O. Alokekendra, Dist. Midnapore	Independent	Bow and Arrow
2.	Pradyut Santra	Vill. Basudebpur, P.O. Chaklahana Dist. Midnapore	B.J.P.	Lotus
3.	Rabindranath Bera	Vill. Ajmatpur, P.O. Brahmansashan, Dist. Midnapore	I.N.C.	Hand
4.	Sk. Jahangir Karim	Vill. Moinan, P.O. Lowada, Dist. Midnapore	C.P.I.(M)	Hammer, Sickle and Star

Kharagpur
6th April, 1996

Sd/-
Returning Officer

219—KESHPUR (S.C.) ASSEMBLY CONSTITUENCY

1.	Dal Nandarani	Bidhannagar (West) P.O. Midnapore, Dist. Midnapore	C.P.I.(M)	Hammer, Sickle and Star
2.	Nandaram Bhunia	Vill & P.O. Golar, Dist. Midnapore	B.J.P.	Lotus
3.	Lakshmi Kanta Banti	Vill. Abdalipur, P.O. Alokekendra, P.S. Debra, Dist. Midnapore	Independent	Bow and Arrow
4.	Sannyasi Dolai	Vill. Kuai, P.O. Neradeul, P.S. Keshpur, Dist. Midnapore	I.N C.	Hand

Midnapore
6th April, 1996

Sd/-
Returning Officer

220—GARHBETA EAST ASSEMBLY CONSTITUENCY

1.	Ghosh Susanta	Vill. Birsinghpur, P.O. Benachapara, P.S. Garbeta, Dist. Midnapore	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Jaharlal Samui	Vill. Chandrakona Road, P.O. Satbankura, Dist. Midnapore	Jharkhand Mukti Morcha	Bow and Arrow
3.	Tapan Chakraborty	Vill. Mazura, P.O. Anandapur, Dist. Midnapore	Indian National Congress	Hand
4.	Rathindranath Chakraborty	Vill. Garbeta, P.O. Garbeta, Dist. Midnapore	Bharatiya Janata Party	Lotus

Midnapore
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		221—GARHBETA WEST (S.C.) ASSEMBLY CONSTITUENCY		
1.	Krishnaprasad Duley	Vill. Salboni, P.O. Bulanpur, Dist. Midnapore	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Tapan Sikari	Vill, Daldali, P.O. Pingboni, Dist. Midnapore	Jharkhand Mukti Morcha	Bow and Arrow
3.	Tarun Mondal	Vill, Bhaturbandi, P.O. Nalbana, Dist. Midnapore	Bharatiya Janata Party	Lotus
4.	Siddhartha Bisai	Vill, Garhbeta, P.O. Garhbeta, Dist. Midnapore	Indian National Congress	Hand

Midnapore
6th April, 1996

Sd/-
Returning Officer

		222—SALBONI ASSEMBLY CONSTITUENCY		
1.	Arun Ghosh	Vill. & P.O. Rautara, Dist. Midnapore	B.J.P.	Lotus
2.	Acharya Dilip	Vill. Chandabila, P.O. Jashpur, Dist. Midnapore	Jharkhand Party	Drum
3.	Khagendranath Mahata	Vill. Sitanathpore, P.O. Saiyadpur, Dist. Midnapore	C.P.I. (M)	Hammer, Sickle and Star
4.	Khandakar Munaraf Hossain	Mirza Bazar, P.O. & Dist. Midnapore	Shivsena	Rising Sun
5.	Tapas Das	Vill. Bhadutala, P.O. Bhadutala, Dist. Midnapore	Jharkhand (Naren)	Axe
6.	Basanti Mahata	Vill. & P.O, Purnapani, Via. Lalgarh, Dist. Midnapore	Independent	Two Leaves
7.	Mahata Chhatradhar	Vill. Gadra, P.O. Madhupore, Dist. Midnapore	Independent	Bow and Arrow
8.	Susanta Sahu	Vill. & P.O. Godapiasal, Dist. Midnapore	Independent	Bicycle

Midnapore
6th April, 1996

Sd/-
Returning Officer

		223—MIDNAPORE ASSEMBLY CONSTITUENCY		
1.	Ajit Kumar Chatterjee	Natun Bazar, Midnapore	Bharatiya Janata Party	Lotus
2.	Aparna Datta	Station Road, Midnapore	Amra Bangalee	Rising sun
3.	Jyotirmoy De	Raghunathpur, Jhargram, Midnapore	Independent	Axe
4.	Dinen Roy	Abash, Midnapore	Indian National Congress	Hand
5.	Nimai Chandra Paul	P.O. Abash, Dist. Midnapore	Independent	ship
6.	Purnendu Sengupta	Serpur, Kherkiberh, P.S. Contai, Midnapore	Communist Party of India	Ears of Corn and Sickle
7.	Beg O. R.	Sepoy Bazar, Midnapore	Indian Democratic Peoples Party	Coconut Tree Bearing fruits
8.	Monoranjan Maji	Burge town, Midnapore	Independent	Bicycle
9.	Muktes Ghosh	Manikpur, Midnapore	Shivsena	Bow and Arrow
10.	Shiblal Hansda	Panchkhuri, Midnapore	Jharkhand Party (Naren)	Drum
11.	Sraboni Bag	Sujaganj, Midnapore	Independent	Two Leaves

1	2	3	4	5
12.	SK. Dr. Abu Hannan	Mirza Mahalla, Midnapore	Muslim League	Ladder

Midnapore
6th April, 1996

Sd/-
Returning Officer

224—KHARAGPORE (TOWN) ASSEMBLY CONSTITUENCY

1.	Kalidas Nayak	Vill. Rajagram, Ward No. 12, P.O. Kharagpore	C.P.I. (M)	Hammer, Sickle and Star
2.	Goutam Choubey	Kharida Fatak Bazar, Malancha Road, Ward No. 13, P.O. Kharagpore	Independent	Rising Sun
3.	Gyan Singh Sohanpal	241, South Settlement, Kharagpore	Indian National Congress	Hand
4.	Dibyendu Dutta	Kharida, Ward No. 11, P.O. Kharagpore	Independent	Two Leaves
5.	Nagradan	Chhoto Ayma, Kharagpore-4	Independent	Bicycle
6.	Pradip Kumar Patnaik	C/O R.P.F.-I Unit-I, R.P.F. Line, near Gate No. 12, New Settlement, Kharagpore	B.J.P.	Lotus
7.	Biswajit Sen Gupta	NS/I/9, Unit-3, Near Rly. Printing Press, New Settlement, Kharagpore	Independent	Aeroplane
8.	Md. Hanif	Bhawanipur (Debalpore), P.O. Kharagpore	Jharkhand Mukti Morcha	Bow and Arrow
9.	Subhrendu Mukherjee	Rabindra Palli, India, Kharagpore	Shivsena	Axe
10.	Satya Deo Sharma	Kharida Ward No. 12, P.O. Kharagpore	Independent	Boy and Girl

Kharagpore
6th April, 1996

Sd/-
Returning Officer

225—KHARAGPUR (RURAL) ASSEMBLY CONSTITUENCY

1.	Alak Kumar Kar	Vill.-Gourhati P.O.-Shyamchak P.S.-Kharagpur (Local), Dt. Midnapore	Independent	Drum
2.	Adak Gayan	Vill. Hatiholka P.O.-Ramnagar Gopinathpur, Dt. Midnapore	Muslim League	Ladder
3.	Anwar Hossion	Bhavanipur Word No.6 P.O. Kharagpur Dt. Midnapore	Independent	Boy & Girl
4.	Ranjit Basu	Vill. Chandipore P.O. Rakhajungle, P.S. Kharagpur (Local), Dist. Midnapore	INC	Hand
5.	Ram Chandra Saren	Vill. & P.O. Talbagicha, Kharagpur-6, Dist. Midnapore	Samata Party	Flaming Torch
6.	Sasanka Patra	Kharagpur Puratan Bazar, Midnapore	B.J.P.	Lotus
7.	Haque Nazmul	Pelageria P.O. Kuliara, P.S. Kharagpur (Local) Dist. Midnapore	C.P.I (M)	Hammer, Sickle & Star

Kharagpur
6th April, 1996

Sd/-
Returning Officer,

226—KESHIARI (S.T.) ASSEMBLY CONSTITUENCY

1.	Gouri Tudu	Vill & P.O. Gansarisha, P.S. Keshiary, Dist. Medinipore	Indian National Congress	Hand
2.	Mangal Baskey	Vill. Namidpore, P.O. Keshiary, Dist. Medinipore	Amra Bangalee	Rising Sun

1	2	3	4	5
3.	Manmatha Nath Singh	Vill. Mamidpore, P.O. & P.S. Keshiary, Dist. Medinipore, Pin-721133	Bharatiya Janata Party	Lotus
4.	Maheswar Murmu	Vill. Baroda, P.O.Gansarisha, P.S. Keshiary, Dist. Medinipore	Communist Party of India (Marxist)	Hammer, Sickle & Star

Kharagpore
6th April, 1996

Sd/-
Returning Officer,

227—NARAYANGARH ASSEMBLY CONSTITUENCY

1	Dilip Kumar Patra	Vill. & P.O. Belda, Dist. Midnapore	B.J.P.	Lotus
2.	Durgesh Mishra	Vill. Paikhola, P.O. Laudungri, Dist. Midnapore	I.N.C.	Hand
3.	Panchanan Pradhan	Vill. Chakmakunda, P.O. Khursi, Dist Midnapore	Independent	Bicycle
4.	Surjya Kanta Mishra	Vill. Dhaneswarpur, P.O. Khakurda, Dist. Midnapore	C.P.I. (M)	Hammer, Sickle and Star

Kharagpore
6th April, 1996

Sd/-
Returning Officer

228—DANTAN ASSEMBLY CONSTITUENCY

1.	Abinash Das	Vill. Chaulia. P.O. Dantan, Dist. Midnapore	B.J.P.	Lotus
2.	Nanda Gopal Bhattacherjee	C.P.I. Party Office. P.O. Dantan, Dist. Midnapore	C.P.I.	Ears of Corn and Sickle
3.	Birendranath Khatua	Vill. Bhabanipur, P.O. Dantan. Dist. Midnapore	Independent	Cultivator Winnowing Grain
4.	Sunil Baran Giri	Vill. Manoharpur, P.O. Garh-Manoharpur, Dist. Midnapore	I.N.C.	Hand

Kharagpore
6th April, 1996

Sd/-
Returning Officer

229—NAYAGRAM (S.T.) ASSEMBLY CONSTITUENCY

1.	Kamal Saren	Vill. Guihasole, P.O. Narasimul, Dist. Midnapore	Hul Jharkhand	Drum
2.	Jhareswar Hansda	Vill. Tascrbani, P.O. Kuldiha, Dist. Midnapore	Jharkhand Party (Naren)	Two Leaves
3.	Prem Chand Tudu	Vill. Marapada, P.O. Kharikamathani, Dist. Midnapore	B.J.P.	Lotus
4.	Madhu Sudan Saren	Vill. Banishol, P.O. Banishol, Dist. Midnapore	I.N.C.	Hand
5.	Rupai Hembram	Vill. Panchgachhia, P.O. Dolgram, Dist. Midnapore	J.M.M.	Bow and Arrow
6.	Subhas Chandra Saren	Vill. Narisole, P.O. Saria, Dist. Midnapore	C.P.I. (M)	Hammer, Sickle & Star

Jhargram
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		230 GOPIBALLAVPUR ASSEMBLY CONSTITUENCY		
1.	Aniruddha Gharai	Vill. Chorechita, P.O. Chorechita, Dist. Midnapore	Independent	Bow and Arrow
2.	Rana Sakti	Vill. Kultikri, P.O. Kultikri, Dist. Midnapore	C.P.I. (M)	Hammer, Sickle and Star
3.	Rekha Rani Mahato	Vill. Nischinta, P.O. Kharbandhi, Dist. Midnapore	I.N.C.	Hand
4.	Sudhangsu Sekhar Gharai	Vill. Chorechita, P.O. Chorechita, Dist. Midnapore	B.J.P.	Lotus
5.	Sushil Mahato	Vill. Chhatri, P.O. Sindurgoura, Dist. Midnapore	Jharkhand Party (Naren)	Drum

Jhargram
6th April, 1996

Sd/-
Returning Officer

		231—JHARGRAM ASSEMBLY CONSTITUENCY		
1.	Kartic Mahata	Vill. Katachara Damodarpur, P.O. Bodhana, Dist. Midnapore	Jharkhand Party (Naren)	Two Leaves
2.	Smt. Gitarani Das	Vill. Raghunathpur, P.O. Jhargram, Dist. Midnapore	Independent	Rising Sun
3.	Guna Dhar Mahata	Vill. Baradhabani, P.O. Sebayatan, Dist. Midnapore	Jharkhand Party	Axe
4.	Gurupada Mahata	Vill. Amlachati, P.O. Lodhasuli, Dist. Midnapore	Hul Jharkhand	Drum
5.	Chaitanya Murmu	Vill. Nutandihi, P.O. Jhargram, Dist. Midnapore	I.N.C.	Hand
6.	Pashupati Sahoo	Vill. Radhanagar, P.O. Sebayatan, Dist. Midnapore	Independent	Boy and Girl
7.	Budha Dev Bhakat	Vill. Chutia, P.O. Balidiha, Dist. Midnapore	C.P.I. (M)	Hammer, Sickle and Star
8.	Ranjit Mahata	Vill. Dhadkinala, P.O. Manikpara, Dist. Midnapore	J.M.M.	Bow and Arrow
9.	Surendra Nath Mahata	Vill. Choto Parulia, P.O.Mantipa-Mohanpur, Dist. Midnapore	B.J.P.	Lotus

Jhargram
6th April, 1996

Sd/-
Returning Officer

		232—BINPUR (S.T.) ASSEMBLY CONSTITUENCY		
1.	Amrit Saren	Vill. Kotki, P.O. Sandapara, Dist. Midnapore	Independent	Rising Sun
2.	Ukil Murmu	Vill. Meghabandhi, P.O. Andharia, Dist. Midnapore	B.J.P.	Lotus
3.	Durga Tudu	Vill. Urlidanga, P.O. Nepura, P.S. Lalgarh, Dist. Midnapore	C.P.I. (M)	Hammer, Sickle and Star
4.	Naren Hansda	Vill. Ankro, Post. Binpur, Dist. Midnapore	J.K.P. (Naren)	Drum
5.	Ram Chandra Saren	Vill. Kamarbandhi, Post. Silda, Dist. Midnapore	J.M.M	Bow and Arrow

Jhargram
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		233—BANDWAN (S.T.) ASSEMBLY CONSTITUENCY		
1.	Ajit Kumar Hansda	Vill. Bachrangametya, P.O. Kumari, P.S. Boro, Dist. Purulia	Jharkhand Mukti Morcha (Mardi)	Bow and Arrow
2.	Kamala Kanta Baskey	Vill. Kutni, P O. Kutni, P.S. Boro, Dist. Purulia	Independent	Axe
3.	Niranjan Soren	Vill. Singraidi, P.O. Aguibil, Dist. Purulia	Amra Bangalee	Rising Sun
4.	Jogyeswar Murmu	Vill. Khayerboni, P.O. Mamro. Dist. Purulia	Jharkahnd Party	Drum
5.	Ramakanai Kisku	Vill. Bhalubasa, P.O. Kashidi. P.S. Manbazar, Dist. Purulia	Independent	Clock
6.	Lakhiram Kisku	Vill. Dhabani, P.O. Kuilapal, Dist. Purulia	Communist Party of India (Marxist)	Hammer, Sickle and Star.
7.	Sital Chandra Hembram	Vill. Sirisgora, P.O. Bandwan. P.S. Bandwan, Dist. Purulia	Indian National Congress	Hand
8.	Surendra Kisku	Vill. Dundlu, P.O. Dighi, P.S. Boro, Dist. Purulia	Bharatiya Janata Party	Lotus

Purulia
6th April, 1996

Sd/-
Returning Officer

		234—MANBAZAR ASSEMBLY CONSTITUENCY		
1.	Kamala Kanta Mahata	Vill. Metyala, P.O. Metyala, Dist. Purulia	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Nil Kamal Mahata	Vill, Metyala, P.O. Metyala, Dist Purulia	Bharatiya Janata Party	Lotus
3.	Prakash Chandra Mahata	Vill. Makarkendih, P.O. Kashidih, Dist Purulia	Independent	Hand Pump
4.	Balahari Murmu	Vill. Keshardi, P.O. Manbazar, Dist. Purulia	Jharkhand Mukti Morcha (Mardi)	Bow and Arrow
5.	Ram Chandra Mahata	Vill. Pakbirra, P.O. Pakbirra, Dist. Purulia	Jharkhand Mukti Morcha	Bicycle
6.	Sitaram Mahata	Vill. Deorang, P.O. Rajnowagarh, Dist. Purulia	Indian National Congress	Hand

Purulia
6th April, 1996

Sd/-
Returning Officer

		235—BALARAMPUR (S.T.) ASSEMBLY CONSTITUENCY		
1.	Amir Sing Laya	Vill, Kutra, P.O. Sarberia, P.S. Barabazar, Dist. Purulia	Independent	Ladder.
2.	Dulali Mandi	Vill. Khawasdih, P.O. Roladih, Dist. Purulia	Indian National Congress	Hand.
3.	Binod Sing Sardar	Vill. Karmatolabandhdih, P.O. Ghatbera, P.S. Balarampur, Dist. Purulia	Independent	Bow and Arrow
4.	Bibhuti Saren	Vill. Phuljhore, P O. Fatepur Sindri, P.S. Barabazar, Dist. Purulia	Bharatiya Janta party	Lotus
5.	Bhandu Majhi	Vill. Kuturkuma, P.O. Amrabera, Dist. Purulia	Communist Party of India (Marxist)	Hammer, Sickle and Star.

Purulia
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		236—ARSHA ASSEMBLY CONSTITUENCY		
1.	Ajit Prasad Mahata	Vill. & P.O. Hetgugui, Dist. Purulia	Jhar Khand Mukti Morcha	Bow and Arrow
2.	Aloke Kumar Sarkar	Vill. & P.O. Arsha, P.S. Arsha, Dist. Purulia	Independent	Apple
3.	Asok Kumar Chattopadhyay	Lalmohan Tribedi Lane 'Bela Bhaban', P.O. Nilkuthidanga, Dist. Purulia	Independent	Flaming Torch
4.	Karamchand Mahata	Vill. Rangamati, P.O. Rangamati, (Via-Garjoypur), P.S. Arsha, Dist. Purulia	Independent	Axe
5.	Kamakshya Prasad singh Deo	Ranchi Road, Purulia	Indian National Congress	Hand.
6.	Dhirendra Nath Kumar	Vill, Laldih, P.O. Hurumda, P.S. Bagmundi, Dist. Purulia	Bharatiya Janta Party	Lotus
7.	Nishikanta Mehta	Vill. & P.O. Burda, Dist. Purulia	All India Forward Bloc	Lion
8.	Shashi Bhushan Mahata	Vill. Dangdung, P.O. Suisa, Dist. Purulia	Independent	Rising Sun
9.	Satyanarayan Majhi	Vill. Gobindapur, P.O. Radhagobindapur, P.S. Baghmundi, Dist. Purulia	Independent	Boy and Girl
10.	Subarna Kumar	Vill. Dulmi, P.O. Tunturi, Dist. Purulia	Independent	Bicycle
11.	Susanto Mahata	Vill. & P.O. Burda, Dist. Purulia	Independent	Almirah

Purulia
6th April, 1996

Sd/-
Returning Officer

		237—JHALDA ASSEMBLY CONSTITUENCY		
1.	Kumud Mahata	Vill. Garakushi, P.O. R-Nowadih, P.S. Jhalda, Dist. Purulia	Independent	Axe
2.	Dubraj Mahata	Vill. Raghunathpur, P.O. Begunkodor, Dist. Purulia	Bharatiya Janata Party	Lotus
3.	Dhiren Chandra Mahata	Vill. Masina, P.O. Masina, P.S. Jhalda, Dist. Purulia	Independent	Two Leaves
4.	Pasupati Mahata	Vill. Kantadih, (Hepad Mouza) P.O. Pusti, P.S. Jhalda, Dist. Purulia	Amra Bangalee	Rising Sun
5.	Muralidhar Mahata	Vill. Chayadih, P.O. Jiudaru, Dist. Purulia	Independent	Bow and Arrow
6.	Satyaranjan Mahata	Vill. Het-Jargo, P.O. Iloo. Dist Purulia	All India Forward Bloc	Lion
7.	Subhas Mahata	Vill. Ichag, P.O. Ichag, P.S. Jhalda, Dist. Purulia	Indian National Congress	Hand

Purulia
6th April, 1996

Sd/-
Returning Officer

		238—JAIPUR ASSEMBLY CONSTITUENCY		
1.	Amulya Mahata	Vill. Singh-Ghaghra, P.O. Chowkibera, P.S. Joypur, Dist. Purulia	Amra Bangalee	Rising Sun
2.	Aslamuddin Sadagar	Vill. Rangadi, P.O. Karmatard, P.S. Joypur, Dist. Purulia	Independent	Bicycle

1	2	3	4	5
3.	Kumbhakarna Mahata	Vill. Ghanga, P.O. Ghanga, P.S. Purulia(M), Dist. Purulia	Jharkhand Mukti Morcha (Mardi)	Two Leaves
4.	Dhanaram Mahata	Vill. Timangda, P.O. Timangda, Dist. Purulia	Bharatiya Janata Party	Lotus
5.	Bindeswar Mahato	Vill. Mantard, P.O. Karkara, Dist. Purulia	All India Forward Bloc	Lion
6.	Sambhu Nath Sutradhar	Vill. Dimdiha, P.O. Dimdiha, Dist. Purulia	Independent	Aeroplane
7.	Shantiram Mahato	Vill. Garaphusra, P.O. Garaphusra, P.S. Purulia (M), Dist. Purulia	Indian National Congress	Hand
8.	Satish Chandra Mahata	Vill. Golbera, P.O. Golbera, Dist. Purulia	Jharkhand Mukti Morcha	Bow and Arrow

Purulia
6th April, 1996

Sd/-
Returning Officer

239—PURULIA ASSEMBLY CONSTITUENCY

1.	Dhiren Rajak	Katinpara (Dhabadih) Dist. Purulia	Jharkhand Party	Drum
2.	Noor Mahammad	Amalapara P.O. & Dist. Purulia	Jharkhand Mukti Morcha (Mardi)	Two Leaves
3.	Pramatha Nath Mahata	Vill. & P.O. Golamara, P.S. Purulia (M), Dist. Purulia	Bharatiya Janata Party	Lotus
4.	Biswas Sumit	Garikhana, P.O. & Dist. Purulia	Independent	Coconut Tree bearing Fruits
5.	Mamata Mukherjee	S. C. Sen Road, Nilkuthidanga, P.O. & Dist. Purulia	Communist Party Of India (marxist)	Hammer, Sickle and Star.
6.	Mahadev Mahata	Vill. & P.O. Golamara, Dist. Purulia	Jharkhand Mukti Morcha	Bow and Arrow
7.	Michael Nag	Upnanpur, P.O. & Dist. Purulia	Independent	Axe.
8.	Rabindra Nath Pramanik	North Lake Road, P.O. & Dist. Purulia	Independent	Chair.
9.	Sasadhar Mahata	Vill. Manipur, P.O. Raghabpur, P.S. Purulia (N), Dist. Purulia	Independent	Spectacles
10.	Sagar Mahata	Vill. Manipur, P.O. Raghabpur, P.S. Purulia (M), Dist. Purulia	Independent	Bucket
11.	Dr. Sukumar Roy	Barakar Road, P.O. & Dist. Purulia	Indian National Congress	Hand

Purulia
6th April, 1996

Sd/-
Returning Officer

240—PARA (S.C.) ASSEMBLY CONSTITUENCY

1.	Gobardhan Bagti	Village & Post Chelyama (Purulia)	Jharkand Mukti Morcha	Bow and Arrow
2.	Paresh Bouri	Village & Post Ichar (Purulia)	Independent	Bicycle
3.	Bouri Sahadev	Village-Amchatar, P.O. Bahara, Dist. Purulia	Independent	Rising Sun
4.	Bilasi Bala Sahis	Village & Post- K. P. Rangadih, Dist Purulia	Communist Party of India (Marxist)	Hammer, Sickle and Star

1	2	3	4	5
5.	Mira Bouri	Village & Post Dimdiha, Dist. Purulia	Indian National Congress	Hand

Raghunathpur
6th April, 1996

Sd/-
Returning Officer

241—RAGHUNATHPUR (S.C.) ASSEMBLY CONSTITUENCY

1.	Natabar Bagdi	Vill. Karcha, P.O. Bhangra, Dist. Purulia	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Nabakumar Bauri	Vill. Napara, P.O. Panchakoteraj, Dist. Purulia	Indian National Congress	Hand
3.	Barun Bouri	Vill. & P.O. Santuri, Dist. Purulia	Jharkand Mukti Morcha	Bow and Arrow
4.	Bijoy Bauri	Barakar Road, Raghunathpur, Dist. Purulia	Independent	Bi-cycle
5.	Lohar Sudhir	Vill. Gobindapur, P.O. Rakshatpur, Dist. Purulia	Bharatiya Janata Party	Lotus

Raghunathpur
6th April, 1996

Sd/-
Returning Officer

242—KASHIPUR (S.T.) ASSEMBLY CONSTITUENCY

1.	Devswaran Hansda	Vill. Gopalpur, P.O. Simla, Dist. Purulia	Jharkhand Mukti Morcha	Bow and Arrow
2.	Patar Subhas Chandra	Vill. Chitra, P.O. Pabra Pahari, Dist. Purulia	Indian National Congress	Hand
3.	Bhudeb Hembram	Vill. Salberia, P.O. Santuri, Dist. Purulia	Independent	Bicycle
4.	Rabindra Nath Hembram	Vill. Parasiadi, P.O. Lara, Dist. Purulia	Communist Party of India (Marxist)	Hammer, Sickle and Star
5.	Rameswar Majhi	Vill. Tilaboni, P.O. Sonathali Ashram, Dist. Purulia	Bharatiya Janata Party	Lotus

Raghunathpur
6th April, 1996

Sd/-
Returning Officer

243—HURA ASSEMBLY CONSTITUENCY

1.	Anadi Prasad Majee	Vill. P.O. Jhapra, Dist. Purulia	Independent	Bicycle
2.	Abinas Mahato	Vill. P.O. Kaliabasa, Dist. Purulia	Communist Party of India (Marxist)	Hammer,Sickle and Star
3.	Arunava Banerjee	Vill. P.O. Ladhurka, Dist. Purulia	Bharatiya Janata Party	Lotus
4.	Baghambar Mahato	Vill. Shyamalota, P.O. Kharipara, Rangadih, Dist. Purulia	Jharkhand Mukti Morcha	Axe
5.	Dr. Bhairab Chandra Mahato	P.O. Dist. Purulia	Indian National Congress	Hand
6.	Jogendra Nath Hansda	Vill. Paharpur, P.O. Hura, Dist. Purulia	Jharkhand Mukti Morcha, (Mardi)	Bow and Arrow
7.	Laxmi Kanta Mahato	Vill. P.O. Bishpuria, P.S. Hura, Dist. Purulia	Amra Bangalee	Rising Sun

Purulia
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		244—TALDANGRA ASSEMBLY CONSTITUENCY		
1.	Iswar Tudu	Vill. Agaya, P.O. Harmasra, Dist. Bankura	Jharkhand Mukti Morcha	Bow and Arrow
2.	Kanchan Hansda	Vill. Bhangabandh, P.O. Nemaipur, Dist. Bankura	Independent	Two Leaves
3.	Deba Prasad Singhabarathakur	Vill. P.O. Simlapal, Dist. Bankura	Indian National Congress	Hand
4.	Dhiren Layek	Vill. Tentulia, P.O.Brajarajpur, Dist. Bankura	Independent	Rising Sun
5.	Manoranjan Patra	Vill. Brindabanpur, P.O. Mamra, Dist. Bankura	Communist Party of India (Marxist)	Hammer, Sickle & Star
6.	Mahadeb Khan	Vill. Taldangra, P.O. Taldangra, Dist. Bankura	Bharatia Janata Party	Lotus

Khatra
6th April, 1996

Sd/-
Returning Officer

		245—RAIPUR (S.T.) ASSEMBLY CONSTITUENCY		
1.	Anil Kayda	Vill. Guniada, P.O. Tapta-Damdi, Dist. Bankura	Independent	Two Leaves
2.	Aditya Kisku	Vill. Korapara, P.O. Raotora, Dist. Bankura	Jharkhand Party (Naren)	Drum
3.	Upen Kisku	Vill. Raipur, P.O. Garh-Raipur, Dist. Bankura	C.P.I.(M)	Hammer, Sickle & Star
4.	Rabi Nath Mandi	Vill. Chaknara, P.O. Basudebpur,Dist. Bankura	Jharkhand Mukti Morcha	Bow and Arrow
5.	Ram Krishna Murmu	Vill. Susunia, P.O. Siromanipur, Dist. Bankura	B. J. P.	Lotus
6.	Sukhchand Saren	Vill. Hatbari, P.O. Bara-Gadra, Dist. Bankura	Independent	Rising Sun
7.	Sukhchand Mandi	Vill. Khayerpahari, P.O. Sarenga, Dist. Bankura	Jharkhand Party	Jug
8.	Smriti Rekha Kisku	Vill. Porakanali, P.O. Dobati, Dist. Midnapore	I.N.C.	Hand

Khatra
6th April, 1996

Sd/-
Returning Officer

		246—RANIBANDH (S.T.) ASSEMBLY CONSTITUENCY		
1.	Anil Hansda	Vill. Dahigazar, P.O. Mitha-am Dist. Bankura	Indian National Congress	Hand
2.	Jagannath Tudu	Vill. & P.O. Mitha-am, Dist. Bankura	Jharkhand Party (Naren)	Drum
3.	Tudu Milan	Vill. Nachna, P.O. Tungcharra Dist. Bankura	Jharkhand Mukti Morcha	Bow And Arrow
4.	Deblina Hembram	Vill. Salboni, P.O. Rudra, Dist. Bankura	Communist Party of India (Marxist)	Hammer,Sickle and Star

1	2	3	4	5
5.	Basen Hansda	Vill. Ledapakur, P.O. Mitha-am Dist. Bankura	Bharatiya Janata Party	Lotus
6.	Raghunath Tudu	Vill. Masra, P.O. Motgada, Dist. Bankura	Independent	Two Leaves

Khatra
6th April, 1996

Sd/-
Returning Officer

247--INDPUR (S.C.) ASSEMBLY CONSTITUENCY

1.	Kirity Bagdi	Vill. Harialgara, P.O. Junbedia, Dist. Bankura	Communist Party of India	Ears of Corn and Sickle
2.	Gopal Chandra Rajak	Vill. Pariasole, P.O. Jambedia, Dist. Bankura	Independent	Rising Sun
3.	Joyanta Mandal	Vill. & P.O. Sunukpahari, Dist. Bankura	Bharatiya Janata Party	Lotus
4.	Durgapada Bauri	Vill. Ghar Pathar, P.O. Chowrabaid, Dist. Bankura	Jharkhand Mukti Morcha	Bow And Arrow
5.	Balaram Bauri	Vill. Huchuk Para (Ratanpur) P.O. Ahanda, Dist. Bankura	Independent	Two Leaves
6.	Mohan Chandra Mondal	Vill. Banagram, P.O. Sunukpahari Dist. Bankura	Independent	Spectacles
7.	Layek Bibekananda	Vill. Bangla, P.O. Indpur, Dist. Bankura	Indian National Congress	Hand
8.	Lohar Gourchandra	Vill. & P.O. Bagdiha, Dist. Bankura	Independent	Bicycle
9.	Sibila Bauri	Vill. & P.O. Muragram, Dist. Bankura	Independent	Axe

Khatra
6th April, 1996

Sd/-
Returning Officer

248 -CHHATNA ASSEMBLY CONSTITUENCY

1.	Ashok Bid	Vill. Bamunkuli, P.O. Chhatna, Dt. Bankura	Bharatiya Janata Party	Lotus
2.	Kanai Mondal	Vill. Dhapali, P.O. Chandra, Dt. Bankura	Independent	Bicycle
3.	Kisku Bhutnath	Vill. Aduri, P.O. Gogra, Dt. Bankura	Independent	Bow and Arrow
4.	Krishnachandra Murmu	Vill. Uttarkendbona, P.O. Dubrajpur, Dt. Bankura	Independent	Two Leaves
5.	Gopal Banerjee	Vill. Shyampur, P.O. Shyampur, Dt. Bankura	Independent	Jeep
6.	Goswami Subhas	Vill. P.O. Chhatna, Dt. Bankura	Revolutionary Socialist Party	Spade And Stoker
7.	Dhananjoy Rakshit	Vill. P.O. Kamalpur, Dt. Bankura	Independent	Rising Sun
8.	Prabhat Ranjan Mukherjee	Vill. Bamunkuli, P.O. Chhatna, Dt. Bankura	Samata Party	Flaming Torch
9.	Swapan Mondal	Vill. & P.O. Dhaban, Dist. Bankura	Indian National Congress	Hand

Bankura
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		249—GANGAJALGHATI (S.C.) ASSEMBLY CONSTITUENCY		
1.	Angad Bauri	Vill. Saburbundh, P.O. Tiluri, Dist. Bankura	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Guiram Maji	Vill. Rajarampur, P.O. Chausal, Dist. Bankura	Indian National Congress	Hand
3.	Ranjit Mondal	Vill. Sailara, P.O. Amarkanan, Dist. Bankura	Bharatiya Janata Party	Lotus

Bankura
6th April, 1996

Sd/-
Returning Officer

		250—BARJORA ASSEMBLY CONSTITUENCY		
1.	Kartik Ghosh	Vill. Madhabpur, P.O. Beliatore, Dist. Bankura	Independent	Drum
2.	Tapasi Banerjee	Villl. & P.O. Barjora, Dist. Bankura	Indian National Congress	Hand
3.	Priyanath Kar	Vill. & P.O. Beliatore, Dist. Bankura	Bharatiya Janata Party	Lotus
4.	Lakshman De	Noongola Road, Bankura, P.O. & Dist. Bankura	Shibsena	Bow and Arrow
5.	Sunil Sarkar	Vill. Baramana (Santipur), P.O. Pakhanna, Dist. Bankura	Independent	Rising Sun
6.	Susmita Biswas	Vill. & P.O. Tajpur, Dist. Bankura	Communist Party of India (Marxist)	Hammer, Sickle and Star

Bankura
6th April, 1996

Sd/-
Returning Officer

		251—BANKURA ASSEMBLY CONSTITUENCY		
1.	Adhvaryyu Chandi Charan	Pathakpara, P.O. & Dist. Bankura	Bharatiya Janata Party	Lotus
2.	Asis Chakrabartty	Rocket Line, Schooldanga, P.O. & Dist. Bankura	Indian National Congress	Hand
3.	Giridhari Sharma	Vill. & P.O. Patmohana, P.S. Hirapur, Dist. Burdwan	Independent	Boat
4.	Gobardhan Shit	Vill. & P.O. Jagdalla, Dist. Bankura	Independent	Bicycle
5.	Jyotilal Murmu	Babudi, P.O. Jhantipahari, Dist. Bankura	Jharkhand Mukti Morcha	Bow and Arrow
6.	Partha De	Pratapbagan, P.O. & Dist. Bankura	Communist Partty of India (Marxist)	Hammer, Sickle and Star
7.	Shital Roy	Vill. Nadadihi, P.O. Salbani, Dist. Bankura	Independentt	Rising Sun
8.	Sudam Dutta	Dhibarpara, P.O. & Dist. Bankura	Shivsena	Spectacles

Bankura
6th April, 1996

Sd/-
Returning Officer

		252—ONDA ASSEMBLY CONSTITUENCY		
1.	Ajit Tribedi	Vill. & P.O. Helna-Susunia, Dist. Bankura	Communist Party of India (Marxist-Leninist) (Liberation)	Ladder

1	2	3	4	5
2.	Anil Mukherjee	Pratapbagan, P.O. & Dist. Bankura	All India Forward Bloc	Lion
3.	Arup Khan	52/A, Jagannathdas Lane, P.O. & Dist. Bankura	Indian National Congress	Hand
4.	Abdul Hai Mallick	Vill. Satsagra, P.O. Chourabaid, Dist. Bankura	Jharkhand Mukti Morcha	Bow and Arrow
5.	Asis Patra	Vill. & P.O. Jamjuri, Dist. Bankura	Shivsena	Rising Sun
6.	Krishna Prasad Goswami	Vill. & P.O. Nakaijuri, Dist. Bankura	Independent	Apple
7.	Gouranga Goswami	Vill. Gopinathpur, P.O. Majdilla, Dist. Bankura	Independent	Bicycle
8.	Janaranjan Mukherjee	Schooldanga, P.O. & Dist. Bankura	Independent	Card
9.	Bijoy Dey	Vill. Barpetia, P.O. Ramsagar, Dist. Bankura	Bharatiya Janata Party	Lotus
10.	Sankar Chattopadhyay	Vill. Lapur, P.O. Ramsagar, Dist. Bankura	Independent	Two Leaves
11.	Sajahan Mondal	Vill. Punisole, P.O. Punisole, Dist. Bankura	Samata Party	Flaming Torch

Bankura
6th April, 1996

Sd/-
Returning Officer

253—BISHNUPUR ASSEMBLY CONSTITUENCY

1.	Ash Bireswar	Sikhariapara, P.O. & Dist. Bankura	Shivsena	Bow and Arrow
2.	Jayanta Chowdhury	Gopalganj, Burushibtala, P.O. Bishnupur, Dist. Bankura	C.P.I.(M)	Hammer, Sickle and Star
3.	Dhirendra Nath Dutta	Thakurpara, Rashtala, P.O. Bishnupur, Dist. Bankura	B. J. P.	Lotus
4.	Buddhadeb Mukherjee	Bahadurganj, P.O. Bishnupur, Dist. Bankura	I. N. C.	Hand

Bishnupur
6th April, 1996

Sd/-
Returning Officer

254—KOTULPUR ASSEMBLY CONSTITUENCY

1.	Gouripada Dutta	Vill. & P.O. Joypur, Dist. Bankura	C.P.I.(M)	Hammer, Sickle and Star
2.	Nikhil Bose	Vill. Rajagram, P.O. Rajagram, Dist. Bankura	I. N. C.	Hand
3.	Basudeb Pal	Vill. & P.O. Balitha, Dist. Bankura	Independent	Rising Sun
4.	Saktidhar Dey	Vill. & P.O. Kotulpur, Dist. Bankura	B. J. P.	Lotus

Vishnupur
6th April, 1996

Sd/-
Returning Officer

255—INDAS (S.C.) ASSEMBLY CONSTITUENCY

1.	Diger Basudeb	Vill. Bhurbandi, P.O. Sahaspur, P.S. Indas, Dist. Bankura	Bharatiya Janata Party	Lotus
2.	Nandadulal Majhi	Vill. Dasarathbati, P.O. Rajkhamar, Dist. Bankura	Communist Party of India (Marxist)	Hammer, Sickle and Star

1	2	3	4	5
3.	Naba Kumar Rajak	Vill. & P.O. Charigram, Dist. Bankura	Indian National Congress	Hand

Bishnupur
6th April, 1996

Sd/-
Returning Officer

256—SONAMUKHI (S.C.) ASSEMBLY CONSTITUENCY

1.	Aswini Kumar Roy	Mouza-Nityanandapur, G.P. Radhamohanpur, P.S. Sonamukhi, Dist. Bankura	Independent	Boat
2.	Tarani Roy	Vill. Rampur, P.O. Hamirhati, Dist. Bankura	Independent	Bow and Arrow
3.	Pulakesh Saha	Nilbari, P.O. Sonamukhi, Dist. Bankura	Indian National Congress	Hand
4.	Harisadhan Lohar	Vill. & P.O. Patrasayer, Dist. Bankura	Bharatiya Janata Party	Lotus
5.	Haradhan Bauri	Vill. Aralkola, P.O. Panchal, P.S. Sonamukhi, Dist. Bankura	Communist Party of India (Marxist)	Hammer, Sickle and Star

Bishnupur
6th April, 1996

Sd/-
Returning Officer

257—KULTI ASSEMBLY CONSTITUENCY

1.	Ajit Kumar Ghatak (Moloy)	Upper Chelidanga, Asansol, Dist. Burdwan	I.N.C.	Hand
2.	Anita Halder	Vill. & P.O. Kulti, Dist. Burdwan	Independent	Clock
3.	Acharyya Maniklal	Vill. Sanctoria, P.O. Dishergarh, Distt. Burdwan	All India Forward Bloc	Lion
4.	Ashis Bhattacharjee	Qtr. No. F7/5, Simulgram, P.O. Kulti, Dist. Burdwan	Amra Bangali	Rising Sun
5.	Ishwar Lal Paswan	Old Sitarampur, P.O. Sitarampur, Dist. Burdwan	Independent	Drum
6.	Prabhakar Maji	Vill. Sanctoria, P.O. Dishergarh, Dist. Burdwan	Independent	Hand Pump
7.	Bharat Prasad Gupta	Vill. Nichugram, Kendua Bazar, Kulti, Dist. Burdwan	Independent	Two Leaves
8.	Rajib Dey	Upper Chellidanga, Asansol, Dist. Burdwan	Independent	Brick
9.	Rukmini Prasad	Rana Talkies, Sodepur, 9/10, Pit Colliery, P.O. Sundarchak, Dist. Burdwan	Independent	Bow and Arro
10.	Shankar Noniya	Vill. & P.O. Dishergarh, Dist. Burdwan	Independent	Chair
11.	Sukhu Kurmi	Vill. & P.O. Patmohana, Dist. Burdwan	Independent	Boat
12.	Hrishikesh Puitandy	Vill. & P.O. Dishergarh, Dist. Burdwan	B. J. P.	Lotus

Asansol
6th April, 1996

Sd/-
Returning Officer

258—BARABANI ASSEMBLY CONSTITUENCY

1.	Abikal Soren	Vill. Hodla, P.O. Kalyaneswari, Dist. Burdwan	Independent	Bow & Arrow

1	2	3	4	5
2.	Kanai Das	Nakarajoria, P.O. Salanpur, Dist. Burdwan	Independent	Apple
3.	Jagdish Rajak	Bhanora Colliery, P.O. Charanpur, Dist. Burdwan	Independent	Chair
4.	Jiten Rajowar	Vill. Bonjemihari, P.O. Salanpur, Dist. Burdwan	B. J. P.	Lotus
5.	Paresh Maji	Gopal Raha Smriti Bhavan, P.O. Panuria, Dist. Burdwan	C.P.I(M)	Hammer, Sickle & Star
6.	Badri Singh	Vill. Samdih, P.O. Samdih, Dist. Burdwan	Independent	Rising Sun
7.	Manik Upadhyay	Vill. Panchagachia, P.O Ethora, Dist. Burdwan	I. N. C.	Hand
8.	Swapan Das	Vill. Amnala, P.O. Raghunath Chawk, Dist. Burdwan	Independent	Drum

Asansol
6th April, 1996

Sd/-
Returning Officer

259—HIRAPUR ASSEMBLY CONSTITUENCY

1.	Anjali Tudu	Vill. Kalikapur, (Dakshinpara) Asansol-4, Dist. Burdwan	Independent	Bow and Arrow
2.	Ashis Mukherjee	AS-7/29, Scheme-II, Kalyanpur Housing, Asansol-4, Dist. Burdwan	Independent	Boy and Girl
3.	Joytasna Maji	Vill. Dihika, P.O. Suryanagar, Dist. Burdwan	Independent	Two leaves
4.	Dipak Mukherjee	Subhas Pally, Deshbandhu Road, Burnpur, Dist. Burdwan	Independent	Ship
5.	Dipali Mondal	West Upear Garden, L.I.C. Colony, Asansol-4, Dist. Burdwan	Independent	Chair
6.	Naru Gopal Roy	Vill. Marichko, P.O. Ethora, Dist. Burdwan	Amra Bangali	Rising Sun
7.	Netai Pada Bose	E 5/8, Road No. 4, New Town, Burnpur, Dist. Burdwan	Independent	Ladder
8.	Paras Dutta	D-664, Lake Gardens, Calcutta-45	B. J. P.	Lotus
9.	Pratap Singh	Rambandhu Talaw, Asansol-3, Burdwan	Independent	Bicycle
10.	Bal Binder Singh	Narsinghbandh, Hirapur, P.O. Burnpur, Dist. Burdwan	Independent	Clock
11.	Bhagabat Kumar Banik	I.N.T.U.C. Office, P.O. Burnpur, Dist. Burdwan	Independent	Railway Engine
12.	Mumtaz Hassan	Rahamatnagar, P.O. Burnpur, Dist. Burdwan	Janata Dal	(Wheel) Chakra
13.	Md. Sohrab Ali	Nayabasti, Rahamatnagar, Burnpur, Dist. Burdwan	Independent	Drum
14.	Mithai Lal Rajbhar	Vill. & P.O. Patmohana, Dist. Burdwan	Independent	Boat
15.	Shakil Ahmad	Qtr No. M 3/5, Upper Road, P.O. Burnpur, Dist. Burdwan	A.I.I.C. (Tewari)	Lady Offering flowers
16.	Shyamadas Banerjee	Ramkrishana Road, P.O. & Dist. Burdwan	I. N. C.	Hand

1	2	3	4	5
17.	Samir Kumar Dey	K 76/3, Upper Road, P.O.. Burnpur, Dist. Burdwan	Independent	Jeep

Asansol
6th April, 1996

Sd/-
Returning Officer

260—ASANSOL ASSEMBLY CONSTITUENCY

1.	Om Prakash Singh	Sen Raleigh, P.O. Kalyanpur	Independent	Boat
2.	Goutam Roychowdhury	87, Apcar Garden, P.O. Asansol 4	C.P.I.(M)	Hammer, Sickle & Star
3.	Jiten Lui Dutta	Chelidanga, P.O. Asansol-4	Independent	Jug
4.	Tapas Banerjee	N. S. Road, P.O. Asansol-1	Indian National Congress	Hand
5.	Dr. Tripti Ratan Dutta	C/o. Pabitra Ratan Dutta Ismile, Asansol	B. J. P.	Lotus
6.	Dipali Mondal	Apcar Garden, L.I.C. Colony, Asansol-4	Independent	Chair
7.	Manik Bayen	3 No. Mahishila Colony, P.O. Asansol-3	Amra Bangali	Rising Sun
8.	Mihir Kumar Mukhopadhyay	62, Nuruddin Road, P.O. Asansol-3	Independent	Two leaves
9.	Lakshmi Chakraborty	1154/A, Durand Road, Loco Colony, Asansol	Independent	Bicycle
10.	Sukumar Sarker	Mahishila Colony-1, Sabujpally, P.O. Asansol-3	Independent	Bow and Arrow

Asansol
6th April, 1996

Sd/-
Returning Officer

261—RANIGANJ ASSEMBLY CONSTITUENCY

1.	Choudhury Bansa Gopal	Girzapara, P.O. Raniganj, Dist. Burdwan	C.P.I.(M)	Hammer, Sickle and Star
2.	Jagabandhu Banerjee	Vill. Jemari, P.O. Bidhanbag, Dist. Burdwan	B.J.P.	Lotus
3.	Dhiraj Gwala	Vill. & P.O. Patmohana, Dist. Burdwan	Independent	Rising Sun
4.	Dhirendra Pratap Singh	5/4, College Road, Raniganj, P.O. Raniganj, Dist. Burdwan	Independent	Two leaves
5.	Rajesh Shaw	Sindhari Dutta Lane, P.O. Raniganj, Dist. Burdwan	Independent	Ladder
6.	Senapati Mondal	Vill. New Egara, P.O. Egara, Dist. Burdwan	I.N.C.	Hand

Asansol
6th April, 1996

Sd/-
Returning Officer

262—JAMURIA ASSEMBLY CONSTITUENCY

1.	Adhikari Santosh	Vill. & P.O. Satgram, Dist. Burdwan	I.N.C.	Hand
2.	Asheswar Singh	3 No. Samdihi, P.O. Samdihi, Dist. Burdwan	Independent	Rising Sun
3.	Gera Murmu	Vill. Dhasal, P.O. Bahadurpur, Dist. Burdwan	Independent	Bow and Arrow
4.	Pelab Kabi	Vill. Jamuria, P.O. Jamuriahat, Dist. Burdwan	C.P.I.(M)	Hammer, Sickle and Star
5.	Lakshman Bauri	Vill & P.O. Churulia, Dist. Burdwan	B.J.P.	Lotus

1	2	3	4	5
6.	Sachidanand Mishra	Vill. Ningha, P.O. Ningha, Dist. Burdwan	Independent	Two leaves
7.	Swaminath Harijan	7 No. Chhora Colliery, P.O. Bahula, Dist. Burdwan	Independent	Chair

Asansol
6th April, 1996

Sd/-
Returning Officer

263—UKHRA (S.C.) ASSEMBLY CONSTITUENCY

1.	Ghanashyam Ram	Pure Sitalpur Colliery, P.O. Ukhra, Dist. Burdwan	Bharatiya Janata Party	Lotus
2.	Jethu Ram	Chora Colliery No. 10 Pit, P.O. Haripur, Dist. Burdwan	Indian National Congress	Hand
3.	Nehal Bouri	Vill. Amlouka, P.O. Ukhra, Dist. Burdwan	All India Indira Congress (Tewari)	Lady offering Flower
4.	Nawal Kishor Paswan	Kendra Chhatadhowrah, P.O. Kendra, Dist. Burdwan	Independent	Bow and Arrow
5.	Bagdi Lakhan	100, K. B. Lane, Raniganj (Hill Basty) P.O. Raniganj, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
6.	Santi Ranjan Das	Shyamsundarpur Chanchani Colliery, P.O. Ukhra, Dist. Burdwan	Independent	Rising Sun
7.	Haradhan Badyakar	Vill. & P.O. Bahula, Dist. Burdwan	Independent	Drum

Durgapur
6th April, 1996

Sd/-
Returning Officer

264—DURGAPUR-I ASSEMBLY CONSTITUENCY

1.	Akhil Mondol	Sabuj Nagar, P.O. Amrai, Durgapur-3	Bharatiya Janata Party	Lotus
2.	Kanan Banerjee	Vill. Amlouka, P.O. Ukhra, Dist. Burdwan	Independent	Letter Box
3.	Brhamdeo Gupta	Thana Road, Andal, P.O. Andal, Dist. Burdwan	Independent	Boat
4.	Madhu Sudan Banerjee	1/16, Mahiskapur Road, Durgapur-5, Dist. Burdwan	Independent	Rail Engine
5.	Madhu Sudan Sinha	14/11, Kashiram Das Road, Durgapur-5, Dist. Burdwan	Independent	Bi-cycle
6.	Mukul Samanta	Vill. Parulia, P.O. Dhabani (Durgapur-5), Dist. Burdwan	Amra Bangalee	Rising Sun
7.	Mrigendra Nath Pal	31/2, Harshabardhan Road, Durgapur-4, Dist. Burdwan	Indian National Congress	Hand
8.	Mrinal Banerjee	55, St. Pauls Road, P.O. Durgapur-4, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
9.	Rabinsen Tudu	Vill. Khatgoria, P.O. Kamalpur, Durgapur-4, Dist. Burdwan	Independent	Bow and Arrow
10.	Lakshmi Narayan Rajbhar	17/1, Dayananda Road, P.O. Durgapur-4, Dist. Burdwan	Independent	Car

Durgapur
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		265—DURGAPUR-II ASSEMBLY CONSTITUENCY		
1.	Aloke Dutta	Sramik Bhaban, Karangapara Road, Durgapur-1, Dist. Burdwan	Independent	Axe
2.	Chamaru Oram	Maingate Chandisthan, C/o. Raghunath Chowdhury, Durgapur-3, Dist. Burdwan	Independent	Bow and Arrow
3.	Deb Kumar Dutta	MaMra, Bidhan Pally, Durgapur-6, Dist. Burdwan	Independent	Jeep
4.	Debabrata Banerjee	M-6/3, City Park, P.O. Durgapur-16, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
5.	Devendra Prasad Gupta	G. T. Road, Waria, P.O. Durgapur-3, (Opp. Staff Quarter More) Dist. Burdwan	Independent	Rail Engine
6.	Malay Kanti Dutta	B-2, 145/2, V.K. Nagar, Durgapur-10, Dist. Burdwan	Indian National Congress	Hand
7.	Ravishanker Singh	DSP No. 2 Gate, Promodnagar, Durgapur-8, Dist. Burdwan	Independent	Boat
8.	Sabitri Mandi	18/31, David Hare Road, Durgapur-5, Dist. Burdwan	Amra Bangalee	Rising Sun
9.	Somenath Banerjee	H-67, Ispat Pally, Bidhannagar, Durgapur-12, Dist. Burdwan	Bharatiya Janata Party	Lotus
10.	Harendra Bhakta	Vill. Pallishri Colony, P.O. Krishnanagar, Dist. Bankura	Independent	Car

Durgapur
6th April, 1996

Sd/-
Returning Officer

		266—KANKSA (S.C.) ASSEMBLY CONSTITUENCY		
1.	Ankura Saresh	Vill. Gangbill, P.O. Shilumpur, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Lakshmi Narayan Saha	Vill & P.O. Kanksa, Dist. Burdwan	Bharatiya Janata Party	Lotus
3.	Himangshu Mondal	P.O. & Vill. Gopalpur, Durgapur-12, Dist. Burdwan	Indian National Congress	Hand

Durgapur
6th April, 1996

Sd/-
Returning Officer

		267—AUSGRAM (S.C.) ASSEMBLY CONSTITUENCY		
1.	Asoke Maji	Vill & P.O. Bhota, P.S. Ausgram, Dist. Burdwan	Shiv Sena	Bow and Arrow
2.	Kartick Chandra Bag	C.P.I(M) Office, Guskara, P.O. Guskara, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
3.	Sailen Majumdar	Vill. Kurul, P.O. Uttar Ramnagar, Dist. Burdwan	Bharatiya Janata Party	Lotus
4.	Sridhar Majhi	Vill. & P.O. Balgona, P.S. Bhatar, Dist. Burdwan	Independent	Rising Sun
5.	Sukumar Saha	Vill. Bishnupur, P.O. Geurai, Dist. Burdwan	Indian National Congress	Hand

Burdwan
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		268 - BHATAR ASSEMBLY CONSTITUENCY		
1.	Goswami Swarup	3/1C Nibedita Place, Benachitty, Durgapur-13, Dist. Burdwan	Bharatiya Janata Party	Lotus
2.	Chattopadhyay Pratul	Vill. & P.O. Belari, Dist. Burdwan	Independent	Apple
3.	Mehbub Alam	Vill. Pubar, P.O. Panduk, P.S. Ausgram, Dist. Burdwan	Independent	Rising Sun
4.	Shiblal Soren	Vill. Gardanmari, P.O. Karjana Chati, P.S. Bhatar, Dist. Burdwan	Shiv Sena	Bow and Arrow
5.	Sreekanta Rana	C/o. Tapesh Chandra Chakraborty, 165, Ichlabad Road, No.3 Ichalabad, P.O. Sreepally, Dist. Burdwan	Communist Party of India (Marxist-Leninist) (Liberation)	Ladder
6.	Sripat Harijan	East Nimcha Colliery, P.O. Bidhanbag, Dist. Burdwan	Independent	Boat
7.	Subhas Mondal	Vill. Arrah, P.O. Amarun Bazar, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
8.	Susanta Ghosh	'Dhiru Villa' Radhanagar Para, P.O. & Dist. Burdwan	Indian National Congress	Hand

Burdwan
6th April, 1996

Sd/-
Returning Officer

		269 –GALSI ASSEMBLY CONSTITUENCY		
1.	Idrish Mondal	Vill. Attaghar, P.O. Suhari, Dist. Burdwan	All India Forward Bloc	Lion
2.	Nil Madhab Mondal	Vill. Sridharpur, P.O. Galsi, P.S. Galsi, Dist. Burdwan	Bharatiya Janata Party	Lotus
3.	Burman Shib Shankar	Vill. & P.O. Sanko, P.S. Galsi, Dist. Burdwan	Independent	Bicycle
4.	Mukhopadhyay Swapan	Vill. Potna, P.O. Monoharsujapur, P.S. Galsi, Dist. Burdwan	Forward Bloc (Socialist)	Rising Sun
5.	Syed Imbad Ali	Maya Bazar, 113, Bijoy Chand Road (Kalitala), Dist. Burdwan	Indian National Congress	Hand

Burdwan
6th April, 1996

Sd/-
Returning Officer

		270– BURDWAN NORTH ASSEMBLY CONSTITUENCY		
1.	Adhikary Nisith	C.P.I.(M) Office, Dewandighi, P.O. Mirzapur, Dist. Burdwan	Communsit Party of India (Marxist)	Hammer, Sickle and Star
2.	Annada Bhattacharyya	Vill. & P.O. Bhanderdihi, Dist. Burdwan	Communist Party of India (Marxist-Leninist) (Liberation)	Ladder
3.	Jagannath Konra	Vill. & P.O. Barsul, Dist. Burdwan	Independent	Bow and Arrow
4.	Das Raimoni	Bhatchala Maszid Tala, Dist. Burdwan	Indian National Congress	Hand
5.	Ramendra Singh	East Nimcha Colliery, P.O. Bidhanbag, Dist. Burdwan	Independent	Rising Sun

1	2	3	4	5
6.	Lakshmi Kanta Das	Saktigarh Uttar Bazar, P.O. Saktigarh, Dist. Burdwan	Bharatiya Janata Party	Lotus
7.	Lalon Saikh	Kalna Road, Kopi Bagan, P.O. & Dist. Burdwan	Independent	Bicycle

Burdwan
6th April, 1996

Sd/-
Returning Officer

271—BURDWAN SOUTH ASSEMBLY CONSTITUENCY

1.	Kanai Lal Choudhury	Baranilpur More, G.T. Road, P.O. Sripalli, Dist. Burdwan	Bharatiya Janata Party	Lotus
2.	Ghosh Sadhan Kumar	N. Basu Road, Sarbamangala Para, P.O. & Dist. Burdwan	Indian National Congress	Hand
3.	Dipak Das	3 No. Ichlabad, P.O. Sripally, Dist. Burdwan	Shiv Sena	Bow & Arrow
4.	Shyamaprosad Bose	C.P.I.(M) Office, Mubarak Building, P.O. & Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
5.	Sk. Sirajuddin	20, Laskar Dighi, P.O. & Dist. Burdwan	Independent	Boy and Girl
6.	Hari Nandan Ram	East Nimcha Colliery, P.O. Bidhan Bag, Dist. Burdwan	Independent	Rising Sun

Burdwan
6th April, 1996

Sd/-
Returning Officer

272—KHANDOGHOSH (S.C.) ASSEMBLY CONSTITUENCY

1.	Dalui Shibaprasad	C.P.I(M) Office, Vill. Badulia, P.O. Sagrai, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Basudeb Mondal	Vill. & P.O. Khandoghosh, Dist. Burdwan	Indian National Congress	Hand
3.	Bipattaran Saha	Vill. & P.O. Sankari, Dist. Burdwan	Bharatiya Janata Party	Lotus

Burdwan
6th April, 1996

Sd/-
Returning Officer

273—RAINA ASSEMBLY CONSTITUENCY

1.	Arabinda Bhattacheryya	Vill. & P.O. Narugram, Dist. Burdwan	Indian National Congress	Hand
2.	Ashok Santra	Vill. Gopalpur, P.O. Sagrai, Dist. Burdwan	Bharatiya Janata Party	Lotus
3.	Shyamaprosad Pal	Vill. & P.O. Kamargoria, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star

Burdwan
6th April, 1996

Sd/-
Returning Officer

274—JAMALPUR (S.C.) ASSEMBLY CONSTITUENCY

1.	Golak Gharui	Vill. Sukpur, P.O. Chakdighi, Dist. Burdwan	Independent	Bicycle
2.	Prasanta Patra	Vill. Kansra, P.O. Surekalna, Dist. Burdwan	Bharatiya Janata Party	Lotus
3.	Baidya Nath Das	Vill. Natungram, P.O. Chakdighi, Dist. Burdwan	Indian National Congress	Hand

1	2	3	4	5
4.	Sushil Santra	Vill. Dhuluk, P.O. Nabagram, Dist. Burdwan	Jharkhand Mukti Morcha	Bow & Arrow
5.	Hazra Samar	C.P.I(M) Office, Vill. & P.O. Jamalpur, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star

Burdwan
6th April, 1996

Sd/-
Returning Officer

275—MEMARI ASSEMBLY CONSTITUENCY

1.	Chattopadhyay Tapas	CPI(M) Office, Memari, P.O. Memari, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Nabakumar Chatterjee	Vill. & P.O. Memari, Dist. Burdwan	Indian National Congress	Hand
3.	Bhismadeb Bhattacharya	Vill. Kalitala, P.O. Debipur, (R.S.) Dist. Burdwan	Bharatiya Janata Party	Lotus
4.	Mukunda Soren	Vill. & P.O. Dhuluk, P.S. Jamalpur, Dist. Burdwan	Jharkhand Mukti Morcha	Bow and Arrow
5.	Samir Kumar Poddar	Vill. & P.O. Chachai, P.S. Memari, Dist. Burdwan	Independent	Rising Sun
6.	Hriday Nanda Halder	Baranilpur, Ambagan, P.O. Sripally, Dist. Burdwan	Shiv Sena	Axe

Burdwan
6th April, 1996

Sd/-
Returning Officer

276—KALNA ASSEMBLY CONSTITUENCY

1.	Anju Kar	Old Garrage Bari, Shyamganga, P.O. Kalna, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Jagannath Mondal	Vill. Tamasapur, P.O. Bagnapara, Dist. Burdwan	Communist Party of India (Marxist-Leninist) (Liberation)	Ladder
3.	Pal Sukanta	Vill. Mirdanga Govt. Colony, Mirdanga, P.O. Guptipara, Dist. Hooghly	Independent	Aeroplane
4.	Biswanath Ghosh	Kansaripara, P.O. Kalna, Dist. Burdwan	Bharatiya Janata Party	Lotus
5.	Baidyanath Murmu	Vill. Hasanhati, P.O. Baidyapur, Dist. Burdwan	Jharkhand Mukti Morcha	Bow and Arrow
6.	Rabindra Nath Halder	Chhotomitrapara, P.O. Kalna, Dist. Burdwan	Independent	Rising Sun
7.	Ranu Goldar	Shyamganga, P.O. Kalna, Dist. Burdwan	Independent	Boat
8.	Lakshman Kumar Roy	Jogipara, P.O. Kalna, Dist. Burdwan	Indian National Congress	Hand

Kalna
6th April, 1996

Sd/-
Returning Officer

277—NADANGHAT ASSEMBLY CONSTITUENCY

1.	Alok Mukherjee	Vill. & P.O. Madhyamgram, Dist. Burdwan	Independent	Bicycle

1	2	3	4	5
2.	Abdul Mannan Shaikh	Vill. Moslemabad, P.O. Astoghoria, Dist. Burdwan	Independent	Rising Sun
3.	Dukhiram Hemrom	Vill. Bridhapara, P.O. Astoghoria, Dist. Burdwan	Jharkhand Mukti Morcha	Bow and Arrow
4.	Biren Ghosh	Vill. & P.O. Dhatrigram, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
5.	Bhim Chandra Bag	Vill. Gohak, P.O. Nadanghat, Dist. Burdwan	Communist Party of India (Marxist-Leninist) (Liberation)	Ladder
6.	Sukhamay Nath	Vill. Tulsidanga, P.O. Samudragarh, Dist. Burdwan	Bharatiya Janata Party	Lotus
7.	Swapan Debnath	Vill. Chhotokobla (School Para), P.O. Bidyanagar, Dist. Burdwan	Indian National Congress	Hand

Kalna
6th April, 1996

Sd/-
Returning Officer

278—MONTESWAR ASSEMBLY CONSTITUENCY

1.	Abu Ayes Mondal	Vill. Akbarnagar, P.O. Kulut, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Debabrata Roy	Vill & P.O. Monteswar, Dist. Burdwan	Indian National Congress	Hand
3.	Sabyasachi Chowdhury	Vill & P.O. Monteswar, Dist. Burdwan	Bharatiya Janata Party	Lotus
4.	Hafijur Rohaman Mondal	Vill & P.O. Kule, Dist. Burdwan	C.P.I(M.L) (Liberation)	Ladder

Kalna
6th April, 1996

Sd/-
Returning Officer

279—PURBASTHALI ASSEMBLY CONSTITUENCY

1.	Ansar Mondal	Kustia Road, Govt. Housing Estate, Block No.1, Flat No.5, Calcutta-39	Indian National Congress	Hand
2.	Kripa Nath Roy	Vill. & P.O. Agradwip (R.S.), Dist. Burdwan	Samata Party	Flaming Torch
3.	Jiban Krishna Das	Vill. Sontoshpur, P.O. Patuli, Dist. Burdwan	Independent	Boat
4.	Dutta Himangshu	Vill & P.O. Jhawdanga, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
5.	Subodh Majumdar	Vill & P.O. Dharmada, Dist. Nadia	C.P.I.(M.L.) (Liberation)	Ladder
6.	Swapan Bhattacharyya	B.J.P Office, Kalekhantala, P.O. Biswarambha, Dist. Burdwan	Bharatiya Janata Party	Lotus

Kalna
6th April, 1996

Sd/-
Returning Officer

280—KATWA ASSEMBLY CONSTITUENCY

1.	Anjan Chatterjee	Sankharipatty, Katwa, P.O. Katwa, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star

1	2	3	4	5
2.	Kejriwal Uttam	Tanti Para, Katwa, P.O. Katwa, Dist. Burdwan	Independent	Bow and Arrow
3.	Rabindranath Chatterjee	Barowaritala (Atuhat Para), P.O. Katwa, Dist. Burdwan	Indian National Congress	Hand
4.	Satyagopal Ganguly	Vill & P.O. Kaithan, Dist. Burdwan	Bharatiya Janata Party	Lotus

Katwa
6th April, 1996

Sd/-
Returning Officer

281—MONGALKOT ASSEMBLY CONSTITUENCY

1.	Aloke Taranga Goswami	Vill. Balgona Chati, P.O. Nityanandapur, Dist. Burdwan	Bharatiya Janata Party	Lotus
2.	Absar Nural Mondal	Vill. Sakona, P.O. Purbanowapara, Dist. Burdwan	Indian National Congress	Hand
3.	Bikash Narayan Choudhury	Vill. & P.O. Majhigram, Via. Kaichar, Dist. Burdwan	Independent	Aeroplane
4.	Bejoy Chandra Sarkar	Vill. & P.O. Panuhat, P.S. Katwa, Dist, Burdwan	Independent	Bow and Arrow
5.	Munshi Saifur Rahaman	Vill. & P.O. Purbanowapara, Via. Nutanhat, Dist. Burdwan	Independent	Two Leaves
6.	Rakhahari Das	S.U.C.I. Election Office, Bara Bazar Masjidtala, P.O. Nutanhat, Dist. Burdwan	Independent	Bicycle
7.	Sadhana Mallik	Goalpara, P.O. Katwa, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star

Katwa
6th April, 1996

Sd/-
Returning Officer

282—KETUGRAM (S.C.) ASSEMBLY CONSTITUENCY

1.	Chand Kumar Saha	Vill. Dakshindihi, P.O. Roundi-Srirampur, Dist. Burdwan	Bharatiya Janata Party	Lotus
2.	Narayan Chandra Poddar	Vill. Uddharanpur, P.O. Sankhai, Dist. Burdwan	Indian National Congress	Hand
3.	Majhi Tamal	Vill. Kopa, P.O. Bara Purulia, Dist. Burdwan	Communist Party of India (Marxist)	Hammer, Sickle and Star
4.	Sabita Dalui	Atuhatpara, P.O. Katwa, Dist. Burdwan	Independent	Bow and Arrow

Katwa
6th April, 1996

Sd/-
Returning Officer

283—NANUR (S.C.) ASSEMBLY CONSTITUENCY

1.	Ananda Gopal Das	Vill. Sakulipur, P.O. Chandidas-Nanoor, Dist. Birbhum	Communist Party of India (Marxist)	Hammer, Sickle and Star
2.	Jatadhari Dhibar	Vill. Brahmankhanda, P.O. Brahmankhanda, Dist. Birbhum	Bharatiya Janata Party	Lotus

1	2	3	4	5
3.	Sibkinkar Saha	Vill. Ankupur, P.O. Dwaronda, Dist. Birbhum	Indian National Congress	Hand
4.	Simaj Das	Bhubandanga, P.O. Bolpur, Dist. Birbhum	Independent	Apple

Bolpur
6th April, 1996

Sd/-
Returning Officer

284 – BOLPUR ASSEMBLY CONSTITUENCY

1.	Tapan Hore	R.S.P. Office, Santiniketan Road, P.O. Bolpur, Dist. Birbhum	Revolutionary Socialist Party	Spade and Stoker
2.	Nandadulal Pramanik	Vill. Bisnukhonda, P.O. Bisnukhonda, Dist. Birbhum	Independent	Bow and Arrow
3.	Banshidhar Singh	Pure Kajora Colliery, P.O. Kajoragram, Dist. Burdwan	Independent	Boat
4.	Md. Alamgir	Bhubandanga, P.O. Bolpur, Dist. Birbhum	Independent	Drum
5.	Sambunath Garai	Bolpur Mistripara, P.O. Bolpur, Dist. Birbhum	Independent	Axe
6.	Sibsankar Banerjee	Sree Ramkrishna Sadhan Kutir, Kalimohan Pally (School Bagan), P.O. Bolpur, Dist. Birbhum	Indian National Congress	Hand
7.	Shyamal Chandra Bhowmick	Flat No. 3, Balaka, 1/88, M.M. Ghosh Road, Calcutta-74	Independent	Rising Sun
8.	Susil Biswas	Shyambati, P.O. Santiniketan, Dist. Birbhum	Bharatiya Janata Party	Lotus

Bolpur
6th April, 1996

Sd/-
Returning Officer

285—LABHPUR ASSEMBLY CONSTITUENCY

1.	Debranjan Mukhopadhyay	Siuri Kalibari. P.O. Siuri, Dist. Birbhum	Indian National Congress	Hand
2.	Banamali Sil	Vill. & P.O. Labhpur, Dist. Birbhum	Independent	Apple
3.	Mondal Ganapati	Vill. Khayerbuni, P.O. Palsa, Dist. Burbhum	Independent	Axe
4.	Mondal Rabindranath	Vill. & P.O. Bhatra, Dist. Birbhum	Samata Party	Flaming Torch
5.	Manik Chandra Mandal	Vill. Malitpur, P.O. Bipratikuri, Dist. Birbhum	Communist Party of India (Marxist)	Hammer, Sickle and Star
6.	Shambhunath Debangshi	Kagash Road, P.O. Ahmedpur, Dist. Birbhum	Bharatiya Janata Party	Lotus

Bolpur
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		286—DUBRAJPUR ASSEMBLY CONSTITUENCY		
1.	Arun Kumar Chakravorty	Vill. Basaluri, P.O. Ganra, Dist. Birbhum	Indian National Congress	Hand
2.	Abrar Khan	Vill. Srirampur, P.O. Babuijore, P.S. Kankhartala, Dist. Birbhum	Independent	Axe
3.	Uttam Kumar Mukherjee	P.O. Dubrajpur, Ward No.1, P.S. Dubrajpur, Dist. Birbhum	Independent	Apple
4.	Godadhar Mondal	Vill. Akamba, P.O. Dumrut, Dist. Birbhum	Bharatiya Janata Party	Lotus
5.	Garain Ramjiban	Ramranjan Bazar, P.O. Dubrajpur, Dist. Birbhum	Independent	Boat
6.	Bhakti Bhusan Mandal	Vill. Perua, P.O. Perua-Gopalpur, P.S. Khayrasole, Dist. Birbhum	All India Forward Bloc	Lion
7.	Md. Jafar	Islampur, Khondakarpara, P.O. Dubrajpur, Dist. Birbhum	Independent	Bow and Arrow
8.	Md. Mahasin	Vill. Bheramari, P.O. Bheramari, Dist. Birbhum	Independent	Ladder

Bolpur
6th April, 1996

Sd/-
Returning Officer

		287—RAJNAGAR (S.C.) ASSEMBLY CONSTITUENCY		
1.	Asesh Mondal	Vill. Paschim Barkola, P.O. Parsundi, Birbhum	Indian National Congress	Hand
2.	Panchanan Badyakar	Vill. Kankartala, P.O. Kankartala, Birbhum	Bharatiya Janata Party	Lotus
3.	Fatick Badyakar	Vill. & P.O. Kendra, P.S. Pandabeswar, Burdwan	Independent	Bow & Arrow
4.	Bijoy Bagdi	Vill. Churor, P.O. Churor, Birbhum	All India Forward Bloc	Lion

Suri
6th April, 1996

Sd/-
Returning Officer

		288—SURI ASSEMBLY CONSTITUENCY		
1.	Anita Mukherjee	Harihatganj, Bazarpara, P.O. Suri, Dist. Birbhum	Independent	Bicycle
2.	Goswami Ananda Gopal	Suri Rabindrapalli, P.O. Suri, Dist. Birbhum	Independent	Ladder
3.	Tapan Ray	Vill. & P.O. Nagari, Dist. Birbhum	Communist Party of India (Marxist)	Hammer,Sickle and Star
4.	Tarkeshwar Yadav	Parashcole Colliery, P.O. Kajoragram, Dist. Burdwan	Independent	Rising Sun
5.	Dey Asis	Duttapukurpara, P.O. Suri, Dist. Birbhum	Independent	Bow and Arrow
6.	Modaswar Hossain	Sonatorepara, P.O. Suri, Dist. Birbhum	Independent	Hurricane Lamp

1	2	3	4	5
7.	Sukumar Das	Anandapur, P.O. Suri, Dist. Birbhum	Bharatiya Janata Party	Lotus
8.	Suniti Chattaraj	Suri Seharapara, P.O. Suri, Dist. Birbhum	Indian National Congress	Hand

Suri
6th April, 1996

Sd/-
Returning Officer

289—MAHAMMAD BAZAR ASSEMBLY CONSTITUENCY

1.	Kuddus Ali	Vill. Sahanagar, P.O. Bagdola, Dist. Birbhum	Independent	Bicycle
2.	Ghosh Kalishankar	Vill. Tentulberia, P.O. Puranogram, Dist. Birbhum	Independent	Two Leaves
3.	Chandika Yadav	Parashcole Colliery, P.O. Kajoragram, Dist. Brudwan	Independent	Rising Sun
4.	Chandradhar Pal	Vill. & P.O. Deriapur, Dist. Birbhum	Independent	Hurricane Lamp
5.	Chittaranjan Hansda	Vill. Tarapur, P.O. Barabagan, Dist. Birbhum	Independent	Drum
6.	Dulal Chandra Mondal	Vill Baidyapur, P.O. Deriapur, Dist. Birbhum	Independent	Bucket
7.	Sri Debranjan Roy	Vill. Rautara, P.O. Mahurapur, Dist. Birbhum	Independent	Apple
8.	Dhiren Sen	Sainthia, P.O. Sainthia, Dist Birbhum	Communist Party of India (Marxist)	Hammer, Sickle and Star
9.	Sri Naba Kumar Dalui	Vill. Bagdahari, P.O. Bagdola, Dist. Birbhum	Jharkhanda Mukti Morcha	Bow and Arrow
10.	Nirmal Chandra Mondal	Seharapara, Suri, P.O. Suri, Dist. Birbhum	Bharatiya Janata Party	Lotus
11.	Rajaram Ghosh	Vill Tentulberia, P.O. Puratangram, Dist. Birbhum	Indian National Congress	Hand
12.	Dr. Subhas Chandra Mukherjee	Vill. & P.O. Seharakuri, Dist. Birbhum	Independent	Ladder

Suri
6th April, 1996

Sd/-
Returning Officer

290—MAYUSRESWAR (S.C.) ASSEMBLY CONSTITUENCY

1.	Anima Bhuimali	Vill. & P.O. Brahman Bahara, Dist. Birbhum	Indian National Congress	Hand
2.	Arjun Saha	Vill. Kalukapur, P.O. Dwaruri, Dist. Birbhum	Bharatiya Janata Party	Lotus
3.	Gajal Dalui	Vill. Pahana, P.O. Dakshingram, Dist. Birbhum	Independent	Rising Sun
4.	Dhiren Let	Vill. & P.O. Parulia, Dist. Birbhum	Communist Party of India (Marxist)	Hammer, Sickle and Star

Rampurhat
6th April, 1996

Sd/-
Returning Officer

1	2	3	4	5
		291—RAMPURHAT ASSEMBLY CONSTITUENCY		
1.	Ashok Dawn	Hattalapara, P.O. Rampurhat, Dist. Birbhum	Independent	Bow & Arrow
2.	Tapan Bose	Ward No. 4 Dukbungalow Para, P.O. Rampurhat, Dist. Birbhum	Independent	Ladder
3.	Tridib Bhattacharjee	Vill. & P.O. Barsal, P.S. Rampurhat, Dist. Birbhum	Indian National Congress	Hand
4.	Balaram Mandal	Vill. Prachandrapur, P.O Murulidangal, Via Mollarpur, Dist. Birbhum	Amra Bangalee	Two Leaves
5.	Becharam (Bechu) Sarkar	Vill. & P.O. Baswa, Dist. Birbhum	Independent	Axe
6.	Mahammad Hannan	Rampurhat Margram Road, P.O. & P.S. Rampurhat, Dist. Birbhum	All India Forward Bloc	Lion
7.	Satyen Das	Vill. & P.O. Mollarpur, Dist. Birbhum	Bharatiya Janata Party	Lotus
8.	Siddhartha Roy	Rampurhat Bharsalapara, P.O. & P.S. Rampurhat, Dist. Birbhum	Forward Bloc (Socialist)	Rising Sun
9.	Hasnat Khursid Yeasin	Vill. Fatepur Bazar, P.O. Mollarpur, Dist. Birbhum	Independent	Bicycle

Rampurhat
6th April, 1996

Sd/-
Returning Officer

		292—HANSAN (S.C.) ASSEMBLY CONSTITUENCY		
1.	Asit Kumar Mal	Vill & P.O. Margram, Dist. Birbhum	Indian National Congress	Hand
2.	Paresh Mal	Vill & P.O. Bujung, Dist. Birbhum	Bharatiya Janata Party	Lotus
3.	Baidya Nath Mal	Vill. Podda, P.O. Tentulia, Dist. Birbhum	Independent	Bow and Arrow
4.	Mal Trilochan Das	Vill. Dharampur, P.O. Barla, P.S. Nalhati, Dist. Birbhum	Independent	Bi-cycle
5.	Mihir Bain	35/1 Swami Vibekananda Road, P.S. Shibpur, Howrah-1	R.C.P.I. (R. Bhatt)	Rising Sun
6.	Ranjit Kumar Mal	Vill. Barachowki, P.O. Anantapur-Kanaipur, Dist. Birbhum	Amra Bangalee	Two Leaves
7.	Sobha Mandal	Vill. Goyta, P.O. Kurumgram, Dist. Birbhum	Independent	Ladder

Rampurhat
6th April, 1996

Sd/-
Returning Officer

		293—NALHATI ASSEMBLY CONSTITUENCY		
1.	Oli Ahad	Vill. & P.O. Kantagoria, Dist. Birbhum	Independent	Bicycle
2.	Kalimuddin Shams	Nalhati All India Forward Bloc Office, P.O. Nalhati, Dist. Birbhum	All India Forward Bloc	Lion

1	2	3	4	5
3.	Dukari Saha	Vill. & P.O. Rudranagar, Dist. Birbhum	Indian National League	Ladder
4	Bhabani Chatterjee	Vill. Sohara, P.O. Chatra, Dist. Birbhum	Forward Bloc (Socialist)	Rising Sun
5.	Mehebub Alf	Kaitha Colonypara, P.O. Kaitha, Dist Birbhum	Independent	Axe
6.	Ram Gopal Bhattar	Hallalapara Nichubazar, P.O. Nolhati, Dist. Birbhum	Bharatiya Janata Party	Lotus
7.	Sharif Hossain (Dalim Master)	Vill. & P.O. Bara, Dist. Birbhum	Indian National Congress	Hand
8.	Sonatan Fulmali	Vill. & P.O. Bara, Dist. Birbhum	Independent	Two Leaves
9.	Sudhir Kumar Pal	Vill. & P.O. Chatra, Dist. Birbhum	Independent	Jug
10.	Subhas Ghosh (Subol)	Nalhati Parbotitala, P.O. Nalhati, Dist. Birbhum	Independent	Bow and Arrow
11.	Shaikh Sagir	Vill. & P.O. Madhura, Dist. Birbhum	Indian Union Muslim League	Clock

Rampurhat
6th April, 1996

Sd/-
Returning Officer

294 --MURARAI ASSEMBLY CONSTITUENCY

1.	Baidya Nath Dutta	Vill. Kanakpur, P.O. Malaypur, Dist. Birbhum	Bharatiya Janata Party	Lotus
2.	Dr. Motahar Hossain	Vill. Bhimpur, P.O. Bhimpur, Dist. Birbum	Indian National Congress	Hand
3.	Mayazzem Hossain	Vill. Paikar, P.O. Paikar, Dist. Birbhum	Communist Party of India (Marxist)	Hammer, Sickle and Star
4.	Rafiqul Hasan	Vill. Mitrapur, P.O. Mitrapur, Dist. Birbhum	Independent	Bicycle

Rampurhat
6th April, 1996

Sd/-
Returning Officer,

S. K. MAGAN
Chief Electoral Officer
West Bengal

Printed by : Basumati Corporation Limited, Calcutta-700 012 / 600 / '96

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-73

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

CHAITRA 21] WEDNESDAY, APRIL 10, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 912-F.T. Calcutta, the 10th April, 1996.

NOTIFICATION

WHEREAS the Governor is satisfied that it is necessary so to do in the public interest;

NOW, THEREFORE, in exercise of the power conferred by sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (74 of 1956), the Governor is pleased hereby to make the following amendment in this department notification No. 3578-F.T., dated the 27th September, 1982, as subsequently amended (hereinafter referred to as the said notification):—

Amendment

In the said notification, in the entry against serial No. (3), for the words and figures "last day of March, 1996,", *substitute* the words and figures "last day of July, 1996,".

No. 913-F.T. Calcutta, the 10th April, 1996.

NOTIFICATION

WHEREAS the Governor is satisfied that it is necessary so to do in the public interest;

NOW, THEREFORE, in exercise of the power conferred by sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (74 of 1956), the Governor is pleased hereby to make the following amendment in this department notification No. 3579-F.T., dated the 27th September, 1982, as subsequently amended (hereinafter referred to as the said notification):—

Amendment

In the said notification, for the words and figures "last day of March, 1996,", *substitute* the words and figures "last day of July, 1996,".

By order of the Governor,

N. BARMAN ROY,
Asstt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-9**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

CAITRA 22] THURSDAY, APRIL 11, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 658-L.—11th April, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act V of 1996

THE BIDHAN CHANDRA KRISHI VISWAVIDYALAYA (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 11th April, 1996.]

An Act to amend the Bidhan Chandra Krishi Viswavidyalaya Act, 1974.

WHEREAS it is expedient to amend the Bidhan Chandra Krishi Viswavidyalaya Act, 1974, for the purpose and in the manner hereinafter appearing; West Ben. Act XLIX of 1974.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the Bidhan Chandra Krishi Viswavidyalaya (Amendment) Act, 1996.

(2) It shall be deemed to have come into force on the 29th day of December, 1995.

The Bidhan Chandra Krishi Viswavidyalaya (Amendment) Act, 1996.

(Sections 2, 3.)

Amendment of section 17 of West Ben Act XLIX of 1974

2. In sub-section (1) of section 17 of the Bidhan Chandra Krishi Viswavidyalaya Act, 1974 (hereinafter referred to as the principal Act),—

(1) for the words "existence of any vacancy among its members", the words "existence of a vacancy or vacancies among its members" shall be substituted, and

(2) the following *Explanation* shall be added at the end:—

"*Explanation.*—For the avoidance of doubt it is hereby declared that where the office of any member of any authority or body of the University cannot be filled up on account of any election or appointment not being for any reason feasible, there shall be deemed to be a vacancy in the office of such member until such election takes place or such appointment is made.".

Repeal and saving.

3. (1) The Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1995, is hereby repealed. West Ben. Ord. IV of 1995.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

By order of the Governor,

S. MAITRA,

Special Officer & ex officio

Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-8**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

CAITRA 22] THURSDAY, APRIL 11, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 660-L.—11th April, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act VI of 1996

THE CALCUTTA MUNICIPAL CORPORATION (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 11th April, 1996.]

An Act to amend the Calcutta Municipal Corporation Act, 1980.

WHEREAS it is expedient to amend the Calcutta Municipal Corporation Act, 1980, for the purposes and in the manner hereinafter appearing; West Ben. Act LIX of 1980.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the Calcutta Municipal Corporation (Amendment) Act, 1996.

(2) Section 10 and section 19 shall come into force at once; and the remaining provisions of this Act shall be deemed to have come into force on the 4th day of December, 1995.

The Calcutta Municipal Corporation (Amendment) Act, 1996.

(Sections 2-6.)

Amendment of section 2 of West Ben Act LIX of 1980

2. In section 2 of the Calcutta Municipal Corporation Act, 1980 (hereinafter referred to as the principal Act), clauses (2), (10), (22), (36) and (37) shall be omitted.

Amendment of section 14

3. To clause (b) of sub-section (3) of section 14 of the principal Act, the following proviso shall be added:—

"Provided that no Government employee above 60 years of age shall be appointed.".

Amendment of section 17

4. To sub-section (4) of section 17 of the principal Act, the following proviso shall be added:—

"Provided that no upward revision of the size of the establishment of the Corporation shall be made without the prior sanction of the State Government.".

Amendment of section 21

5. In section 21 of the principal Act,—

(a) for sub-section (3), the following sub-section shall be substituted:—

"(3) Any officer or employee of the Corporation as may be determined by regulation, may be censured, fined, penalised by withholding of increment or promotion temporarily or permanently, penalised by recovery from his pay of the whole or part of any pecuniary loss caused by him to the Corporation, reduced to a lower stage in the time-scale of pay for a specified period, reduced to a lower time-scale of pay, grade, post or service, or penalised by compulsory retirement or removal or dismissal from service for any breach of departmental rules or of discipline or for negligence of duties or for other misconduct, by the authority by whom such officer or employee has been appointed.";

(b) after sub-section (3), the following sub-sections shall be inserted:—

"(3A) The Commissioner or the appointing authority may pass an order of suspension pending departmental proceedings or prior to the initiation of any departmental proceedings against any employee of the Corporation.

(3B) (i) An employee of the Corporation who is detained in custody for a period exceeding 48 hours on a criminal charge, may be suspended by an order of the appointing authority with effect from the date of his detention and such employee shall remain under suspension until an order withdrawing the order of suspension is made by the appointing authority.

(ii) An employee of the Corporation who is undergoing a sentence of imprisonment upon conviction on a criminal charge, shall be suspended by the appointing authority pending disciplinary proceeding against him."

(c) in sub-section (5), after the words "Municipal Service Commission", the words "or the Public Service Commission, as the case may be," shall be inserted.

Amendment of section 26.

6. In section 26 of the principal Act,—

(a) in clause (b) of sub-section (1), for the word "two", the word "three" shall be substituted;

(b) in sub-section (2), for the words "and one member shall be nominated by the State Government.", the words ", and two members, one of whom shall be an officer of the Department of Scheduled Castes and Tribes Welfare of the State Government, shall be nominated by the State Government." shall be substituted.

The Calcutta Municipal Corporation (Amendment) Act, 1996.

(Sections 7-11.)

Amendment of section 27A.

7. In sub-section (8) of section 27A of the principal Act, for the words "the Corporation, if it considers necessary, may refer any such case to the State Government for approval.", the words "the Corporation shall refer the matter to the State Government for decision, and the decision of the State Government thereon shall be final." shall be substituted.

Amendment of section 29.

8. In section 29 of the principal Act, after clause (a), the following clauses shall be inserted:—

"(aa) providing, by itself or by an agency, means of supply of water for fire-fighting purposes;

(aaa) measures as may be required for fire prevention and fire safety under the West Bengal Fire Services Act, 1950, and the rules made thereunder;". West Ben. Act XVIII of 1950.

Amendment of section 44.

9. In sub-section (1) of section 44 of the principal Act,—

(a) in clause (a), for the words "twenty lakhs of rupees,", the words "five lakhs of rupees," shall be substituted;

(b) in clause (b), for the words "twenty lakhs of rupees but does not exceed one crore of rupees,", the words "five lakhs of rupees but does not exceed one crore of rupees " shall be substituted.

Amendment of section 48

10. In clause (b) of sub-section (3) of section 48 of the principal Act, after the words "any of his powers or functions", the words, figures and brackets ", including the powers or functions under section 397, sub-section (1) of section 400 and sub-section (1) of section 411," shall be inserted.

Substitution of new section for section 182A.

11. For section 182A of the principal Act, the following section shall be substituted:—

'Self-assessment and submission of return.

182A. (1) Notwithstanding anything to the contrary contained elsewhere in this Act, any owner or person liable to pay the consolidated rate on—

(a) any new building or existing building which has not been assessed, or

(b) any existing building which has been redeveloped or substantially altered or improved after the last assessment, but has not been subjected to revision of assessment consequent upon such redevelopment or alteration or improvement, as the case may be, or

(c) any new building or existing building referred to in clause (a) or clause (b), the bills in respect of which have not been issued,

shall pay such consolidated rate, together with interest, if any, payable under any provision of this Act, on self-assessment:

Provided that such self-assessment shall be certified by a valuer holding a diploma from the Institution of Surveyors and enlisted with the Corporation for such valuation, where the total floor area of such new building or existing building exceeds 400 square metres:

Provided further that the valuation on self-assessment, where the total floor area of a new building or existing building exceeds 400 square metres or not, shall be—

(a) where the value of land and building does not exceed Rs. 2.00 lakhs of the self-assessed value—1 per cent;

(b) where the value exceeds Rs. 2.00 lakhs—1.5 per cent.

Explanation.—For the purposes of this sub-section,—

(1) "last assessment" shall mean the assessment where the annual value has been determined by the hearing officer under this Act and communicated to the assessee;

The Calcutta Municipal Corporation (Amendment) Act, 1996.

(Sections 12, 13.)

(2) "Institution of Surveyors" shall mean the Institution of Surveyors recognised as such by the Government of India;

(3) "value" shall, in the case of an apartment, mean the cost of the apartment and the proportionate cost of the land.

(2) Such owner or person shall furnish to the Municipal Commissioner a return of self-assessment in such form, and in such manner, as may be prescribed. Every such return shall be accompanied by proof of payment of such consolidated rate and interest, if any.

(3) The payment of such consolidated rate and interest, if any, shall be made, and such return shall be furnished, within sixty days of the commencement of the Calcutta Municipal Corporation (Amendment) Act, 1996.

(4) In the case of any new building for which an occupancy certificate has been granted or which has been taken possession of after the commencement of the Calcutta Municipal Corporation (Amendment) Act, 1996, such payment shall be made, and such return shall be furnished, within thirty days of the expiry of the quarter in which such occupancy certificate is granted or such possession is taken, whichever is earlier.

Explanation.—Occupancy certificate may be provisional or final and may be for the whole or any part of the building; possession may be of the whole or any part of a building.

(5) Such payment shall continue to be made for each subsequent quarter and the last date of such payment shall be thirty days after the expiry of each such quarter.

(6) After the assessment under section 179 or revision of assessment under section 180 has been made, any amount paid on self-assessment under this section shall be deemed to have been paid on account of the assessment under section 179 or section 180, as the case may be.

(7) If any owner or other person, liable to pay the consolidated rate under this Act, fails to pay the same together with interest, if any, in accordance with the provisions of this section, he shall, without prejudice to any other consequence to which he may be subject, be deemed to be a defaulter in respect of the consolidated rate or the interest or both remaining unpaid, and all the provisions of this Act applicable to such defaulter shall apply to him accordingly.

(8) After the assessment is finally made under this Act, if the payment on self-assessment is found to be less than that of the amount payable by the assessee, in such case the assessee shall pay up the difference within two months from the date of final assessment, failing which recovery shall be made in accordance with the provisions of this Act but, after the final assessment, if it is found that the assessee has paid excess amount, in such case such excess amount shall be adjusted against the actual tax payable by the assessee.'.

Amendment of section 183.

12. To sub-section (5) of section 183 of the principal Act, the following proviso shall be added:—

"Provided that nothing in this sub-section shall be construed to mean that mutation in a case, where there is arrear of any dues to the Corporation on account of the transferor or the predecessor-in-interest of the applicant, shall be refused.".

Amendment of section 189.

13. In section 189 of the principal Act,—

(a) in sub-section (2), for the proviso, the following provisos shall be substituted:—

"Provided that the Chairman may constitute one or more separate benches, each bench comprising two or more members, one of whom shall be a member of the West Bengal Higher Judicial Service (hereinafter referred to as the Judicial Member), and may transfer to any such bench any appeal for disposal or may withdraw from any such bench any appeal before it is finally disposed of:

The Calcutta Municipal Corporation (Amendment) Act, 1996.

(Sections 14-16.)

Provided further that no such bench shall be constituted with any member of the West Bengal Higher Judicial Service other than one who is or has been a member of that Service for a period of not less than three years.";

(b) after sub-section (2), the following sub-section shall be inserted:—

"(2A) Where a separate bench is constituted under the first proviso to sub-section (2), the Judicial Member shall exercise and perform all the powers and functions of the Chairman under this Act or the rules made thereunder.".

Amendment of section 199.

14. In section 199 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted:—

"(1) Every person engaged or intending to be engaged in any profession, trade or calling in Calcutta as mentioned in Schedule IV, either by himself or by an agent or representative, shall obtain a certificate of enlistment or get the same renewed annually, as the case may be, from the Municipal Commissioner upon presentation of an application in such form as may be specified by the Municipal Commissioner together with such application fee, not exceeding rupees ten, as may be determined by the Corporation. Such application form shall be available from the Corporation on payment of such fee as may be determined by the Municipal Commissioner.";

(b) to sub-section (2), the following proviso shall be added:—

"Provided that no profession, trade or calling, referred to in sub-section (1), shall be commenced or carried on without any licence or permission, as required under this Act, being taken out and produced before the Municipal Commissioner, failing which the certificate of enlistment shall not be renewed.".

Insertion of new chapter XXA.

15. In part V of the principal Act, after chapter XX, the following chapter shall be inserted:—

'CHAPTER XXA

Fire prevention and fire safety

Arrangement for fire prevention and fire safety

342A. On the coming into force of the West Bengal Fire Services Act, 1950, in any area within the jurisdiction of the Corporation, the Corporation shall, in consultation with the Director of Fire Services or any officer authorised by him in this behalf by general or special order, require the owner or the occupier of all or any of the premises in such area to make, or to carry, such arrangements as may be necessary for fire prevention and fire safety in such area.

West Ben. Act XVIII of 1950.

Explanation.—"Director of Fire Services" shall mean the Director of Fire Services referred to in clause (e) of section 2 of the West Bengal Fire Services Act, 1950.'.

Amendment of section 390.

16. In section 390 of the principal Act, in clause (2),—

(i) in sub-clause (a),—

(A) the words "lodging or rooming houses," shall be omitted, and

(B) the word "dormitories," shall be omitted;

(ii) in sub-clause (c), the words ", lodging or rooming houses, hotels, guest-houses, dormitories" shall be omitted;

(iii) in sub-clause (d), after the words "boarding houses,", the words "lodging or rooming houses, guest-houses, dormitories," shall be inserted;

(iv) sub-clause (j) shall be omitted.

The Calcutta Municipal Corporation (Amendment) Act, 1996.

(Sections 17, 18.)

Amendment of section 391

17. In section 391 of the principal Act, in sub-section (2),—

(a) for the word "nine", the word "seven" shall be substituted;

(b) in clause (d), the word "and" shall be omitted;

(c) in clause (e), for the words "Department of Local Government and Urban Development,", the words "Department of Municipal Affairs," shall be substituted;

(d) after clause (e), the following clauses shall be inserted:—

"(f) one shall be an architect of repute to be selected in consultation with the Council of Architecture constituted under section 3 of the Architects Act, 1972, and 20 of 1972.

(g) one shall be a Town Planner of repute to be selected in consultation with the Institute of Town Planners of India.".

Insertion of new section 413A.

18. After section 413 of the principal Act, the following section shall be inserted:—

"Regularization of buildings in certain cases

413A. (1) Notwithstanding anything contained in this chapter or elsewhere in this Act, all buildings, the construction of which by the persons displaced from East Pakistan (now Bangladesh) or by their successors-in-interest on lands occupied by such persons have been completed on or before the commencement of the Calcutta Municipal Corporation (Amendment) Act, 1996, and where the documents of title to such lands have been granted by the State Government, shall be regularized by the Municipal Commissioner under this chapter, subject to payment of the requisite fees and charges and on submission of application in the prescribed form along with the plan for each such building:

Provided that such regularization shall be made only in the cases where the constructions have been completed in conformity with the existing building rules of the Corporation:

Provided further that in the cases where the building have been completed not in conformity with the existing building rules of the Corporation, in the appropriate cases the Municipal Commissioner, in relaxation of such building rules, shall be competent to regularize such building:

Provided also that where the documents of title to the lands as aforesaid have not been granted by the State Government, the buildings on such lands shall be regularized in the aforesaid manner after the documents of title to such lands are granted by the State Government.

Explanation.—While relaxing the building rules of the Corporation, the Municipal Commissioner shall, in addition to other factors, if any, take into account the structural stability and safety of the buildings in accordance with such rules as the State Government may make in this behalf.

(2) Where the construction of the building has been completed by such person on or before the commencement of the Calcutta Municipal Corporation (Amendment) Act, 1996, and the document of title to land has been granted by the State Government, such person shall apply for regularization in accordance with the provisions of sub-section (1) within one year from the date of commencement of the Calcutta Municipal Corporation (Amendment) Act, 1996.

(3) Where the construction of the building has been completed but the document of title to land has not been granted by the State Government, such person shall apply for regularization in accordance with the provisions of sub-section (1) within one year from the date of grant of document of title to land.

The Calcutta Municipal Corporation (Amendment) Act, 1996.

(Sections 19-21.)

(4) Any building, the construction of which on the land as aforesaid has not been completed at the date of commencement of the Calcutta Municipal Corporation (Amendment) Act, 1996, or any building proposed to be constructed on or after the said date, shall be governed by the provisions of this chapter.".

Substitution of new section for section 414.

19. For section 414 of the principal Act, the following section shall be substituted:—

'Engagement of technical person

414. (1) Every person, who intends to erect, re-erect, add to, or alter, any building, shall, subject to the provisions of this Act, engage such technical person and in such manner as may be prescribed.

(2) The categories, and the qualifications, competence, duties and responsibilities, of the technical persons shall be such as may be prescribed.

(3) The Municipal Commissioner may by notification specify the manner of enrolment of, or grant of licence to, the technical persons.

(4) The Municipal Commissioner may by order cancel the enrolment of, or revoke the licence granted to, a technical person on the ground of dereliction of any duty or responsibility prescribed under sub-section (2), or professional misconduct or moral turpitude, on his part after giving him a reasonable opportunity of being heard.

(5) If, in any case, any loss of life or property is caused, or is likely to be caused, by reason of any misconduct on the part of a technical person engaged under sub-section (1), such technical person shall be subject to the provisions of section 401A.

Explanation.—For the purposes of this section, the expression "technical person" shall mean a technical consultant.'.

Substitution of new section for section 450.

20. For section 450 of the principal Act, the following section shall be substituted:—

"Survey of *bustees*, and preparation of record-of-rights etc., by Corporation.

450. Subject to the provisions of the Calcutta *Thika* and other Tenancies and Lands (Acquisition and Regulation) Act, 1981, and, in particular, the provisions of section 25 of that Act, the Corporation may, in accordance with such directions as the State Government may issue and on such terms as the State Government may determine, undertake survey of *bustees* to prepare record-of-rights of tenants in respect of occupancy of land and title to huts or other structures held by them under the State Government under section 6 of that Act, their size, description and location in relation to streets, lanes, by-lanes and passages, the land revenue due to the State Government, the number of *Bharatias* and their names and addresses, the rents realised from them and the period of occupancy of huts or other structures, and to delineate the physical features on a survey map of *bustees* on such scale as may be prescribed.".

West Ben Act XXXVII of 1981.

Insertion of new sections 450A, 450B and 450C.

21. In chapter XXVI of the principal Act, after section 450, the following sections shall be inserted:—

"Standard layout plan for development of *bustee*.

450A. (1) The Corporation, if it considers that a *bustee* requires planned development or modification or alteration of the layout or remodelling for a public purpose as defined in the *Explanation* to sub-section (3) of section 7 of the Calcutta *Thika* and other Tenancies and Lands (Acquisition and Regulation) Act, 1981, may, after giving such notice as may be prescribed, prepare a standard layout plan for such *bustee* in such manner as may be prescribed, and cause it to be published, with the approval of the State Government, in the *Official Gazette*, and publicly displayed in the *bustee* in the manner prescribed.

(2) Where a notice for the preparation of a standard layout plan has been given under sub-section (1), no new hut or structure shall be erected in the *bustee* and no addition to an existing building in the *bustee* shall be made until a standard layout plan for the *bustee* has been published under sub-section (1).

The Calcutta Municipal Corporation (Amendment) Act, 1996.

(Section 22.)

(3) Where a standard layout plan for any *bustee* has been published, no new hut or masonry building shall be erected in such *bustee* and no addition to an existing building, and no such change of use of land as does not conform to the standard layout plan, shall be made:

Provided that no new construction conforming to the standard layout plan shall be undertaken without the sanction of building plan as required under this Act and the regulations made thereunder.

Demolition and removal of building not in conformity with standard layout plan in *bustee*

450B. Where a standard layout plan has been published for any *bustee* under sub-section(1) of section 450, the State Government may, under section 10 of the Calcutta *Thika* and other Tenancies and Lands (Acquisition and Regulation) Act, 1981, appoint the Municipal Commissioner as Controller to perform all the functions of a Controller under that Act in respect of such *bustee*, and, thereupon the Municipal Commissioner may, with the approval of the State Government and by written notice, require the owner of any building in such *bustee*, not in conformity with the standard layout plan, to demolish and remove the whole or any portion of such building or to reconstruct such building, as the case may be, so as to make such building conform to the standard layout plan and, where the owner of such building is a *thika* tenant, the Municipal Commissioner may, with the approval of the State Government, resume the land comprised in such *thika* tenancy with or without the building, if any, and take possession of the land, subject to the proviso to sub-section (3) of section 7 of that Act in regard to alternative accommodation to the *thika* tenants in actual occupation of the building and *Bharatias*, and payment of compensation as provided for in sub-section (5) of section 8 of that Act and the rules made thereunder.

West Ben. Act XXXVII of 1981.

Sanction of plan for permanent construction in *bustee*.

450C. Subject to the provisions of sections 450A and 450B, the Corporation may sanction building plans submitted by one or more *thika* tenants, or by such person or authority as is referred to in section 27 of the Calcutta *Thika* and other Tenancies and Lands (Acquisition and Regulation) Act, 1981, for the purpose of permanent construction in the nature of renovation of, addition to, or alteration or conversion into *pucca* structure of, an existing hut and also for construction of new structure, in a *bustee*, the standard layout plan for which has been published under sub-section (1) of section 450A, in accordance with such regulations as the Corporation may make and on payment of such fee as the Corporation may determine:

Provided that such building plans shall not be submitted in piecemeal but shall constitute a total package of proposals for new construction covering a substantial land area comprised in the *bustee* and including physical development thereof as contained in the standard layout plan, and conforming to the character and physical pattern of development and use of land as outlined in the standard layout plan, so as to represent faithfully a substantial part of the whole towards planned development in a phased manner:

Provided further that such building plans shall not be treated as valid unless accompanied by a written undertaking to comply with the provisions of sub-section (2) of section 11 of the Calcutta *Thika* and other Tenancies and Lands (Acquisition and Regulation) Act, 1981, regarding restoration of possession of accommodation of *Bharatias* in the reconstructed, renovated or newly built building or structure.".

Insertion of new section 517A

22. After section 517 of the principal Act, the following section shall be inserted:—

"Power to remove nuisance.

517A. Notwithstanding anything contained in section 517, if the Mayor-in-Council is of the opinion that immediate removal of any nuisance continuing on any land or building in contravention of the provisions of this Act is necessary, it may, for reasons to be recorded in writing, cause such nuisance to be removed forthwith.".

The Calcutta Municipal Corporation (Amendment) Act, 1996.

(Sections 23-27.)

Amendment of section 546

23. In sub-section (1) of section 546 of the principal Act,—

(a) for the words "to make any entry into any place", the words "to make any entry into, and to cause to be vacated, any place" shall be substituted;

(b) in clause (b), after the words "gate or barrier", the words "or to vacate such place" shall be inserted.

Amendment of section 604

24. The proviso to sub-section (2) of section 604 of the principal Act shall be omitted.

Amendment of section 619A

25. Section 619A of the principal Act shall be renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-sections shall be inserted:—

'(2) No court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.

(3) Except as otherwise provided in sub-section (1), no court shall take cognizance of any offence punishable under this Act or of the abatement of any such offence—

(a) save on its own knowledge of the offence or police report of the facts which constitute the offence, or

(b) save on complaint made by the person aggrieved by the offence or the parent or other relative of such person or any recognised welfare institution or any recognised professional institution or organisation of engineers, architects or technocrats.

Explanation.—For the purposes of this sub-section, "recognised welfare institution" or "recognised professional institution or organisation of engineers, architects or technocrats" shall mean a welfare institution or, as the case may be, a professional institution or organisation of engineers, architects or technocrats, recognised by the Central Government or the State Government.'.

Omission of Schedule III

26. Schedule III of the principal Act shall be omitted.

Repeal and saving

27. (1) The Calcutta Municipal Corporation (Amendment) Ordinance, 1995, is hereby repealed. West Ben. Ord. III of 1995.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-10**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

CAITRA 22] THURSDAY, APRIL 11, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 661-L.—11th April, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act VII of 1996

THE WEST BENGAL FIRE SERVICES (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 11th April, 1996.]

An Act to amend the West Bengal Fire Services Act, 1950.

WHEREAS it is expedient to amend the West Bengal Fire Services Act, 1950, for the purposes and in the manner hereinafter appearing; West Ben. Act XVIII of 1950.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the West Bengal Fire Services (Amendment) Act, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of section 2 of West Ben. Act XVIII of 1950.

2. In section 2 of the West Bengal Fire Services Act, 1950 (hereinafter referred to as the principal Act),—

(1) for clause (a), the following clauses shall be substituted:—

'(a) the expression "building" has the same meaning as assigned to it in the relevant municipal law in force in a local area;

The West Bengal Fire Services (Amendment) Act, 1996.

(Section 2.)

(aa) the expression "building rules" means the building rules, building regulations, or building bye-laws, made under the relevant municipal law and in force in a local area, and includes any other building rules or regulations, or any development control rules or regulations, by whatever name called, made under any other law for the time being in force and in force in any local area;';

(2) clause (d) shall be omitted;

(3) after clause (e), the following clause shall be inserted:—

'(ee) "District Magistrate" means the Executive Magistrate appointed to be the District Magistrate under sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, and includes an Additional District Magistrate;'; 2 of 1974.

(4) in clause (f), the words, figure and letter "and includes an Auxiliary Fire Brigade raised under section 3A" shall be omitted;

(5) after clause (g), the following clause shall be inserted:—

'(gg) the expression "fire prevention and fire safety measures" means such measures as may be provided in the building rules or in any other law for the time being in force, or as may be prescribed, for the prevention, control and fighting of fire and for ensuring the safety of life and property in the case of fire;';

(6) for clause (h), the following clauses shall be substituted:—

'(h) "hazardous substance" means—

(i) such explosive within the meaning of the Indian Explosives Act, 1884, or 4 of 1884.

(ii) such explosive substance within the meaning of the Explosive Substances Act, 1908, or 6 of 1908

(iii) such dangerously inflammable substance within the meaning of the Inflammable Substances Act, 1952, or 20 of 1952

(iv) such combustible substance, or

(v) such toxic substance,

as the State Government may, by notification, specify;

(ha) "high-rise building" means a building the height of which is fourteen and a half metres or more.

Explanation.—For the purposes of this Act, the height in relation to a building shall mean the vertical distance measured from the average level of the centre line of the street or passage to which the plot of land on which the building is situated abuts to the highest point of the building, whether with flat roof or with sloped roof;

(hb) "high-risk building" means a high-rise building or a building with such occupancy within the meaning of the relevant municipal law in force in a local area, or such other occupancy, or such building, or such class or classes of buildings, as the State Government may, by notification, specify;

(hc) "licensed agency" means a person or association of persons to whom a licence has been granted by the Director in the manner prescribed for undertaking or executing fire prevention and fire safety measure or for performing such other related activities required to be carried out under this Act in such area as may be specified by the Director;';

(7) in clause (hh), after the words "local authority has jurisdiction", the words "or any other area defined by boundaries for the purposes of this Act" shall be inserted;

The West Bengal Fire Services (Amendment) Act, 1996.

(Section 3.)

(8) after clause (hh), the following clause shall be inserted:—

'(hhh) "local authority" means a municipal authority or Industrial Township Authority within the meaning of the relevant municipal law or a *Gram Panchayat, Panchayat Samiti, Zilla Parishad,* or *Mahakuma Parishad*, constituted under the West Bengal *Panchayat* Act, 1973;'; West Ben. Act XLI of 1973.

(9) clause (i) shall be omitted;

(10) after clause (ia), the following clauses shall be inserted:—

'(ib) "nominated authority" means an officer, not below the rank of station officer, as may be nominated by the Director, or such officer as may be nominated by the State Government;

(ic) "notification" means a notification published in the *Official Gazette*;

(id) "occupier" means a person living in, or otherwise using, any land or building owned by him, or a person who, for the time being, is paying, or is liable to pay, to the owner the rent or fee, or is making, or is liable to make, contractual payment to the owner for adjustment of rent or fee, or damages, or any portion thereof, on account of occupation of any land or building, and includes a rent-free tenant;

(ie) "owner" means a person who, for the time being, is receiving the rent of any land or building or any part of any land or building, either on his own account or as an agent of a person, or trustee for a society for any religious or charitable purpose, or as a receiver who would receive such rent if the land or the building or any part thereof were let to a tenant;';

(11) for clause (*l*), the following clauses shall be substituted:—

'(*l*) "premises" means a land or building or hut or part of a land or building or hut, and includes—

(i) the garden, ground or out-house, if any, appertaining thereto; or

(ii) any fittings or fixtures affixed to a building or hut or part of a building or hut for the more beneficial enjoyment thereof;

(*la*) "processing" means making, altering, repairing, treating or otherwise dealing with any article by means of steam, electricity or other power;

(*lb*) "the relevant municipal law" means—

(i) the Howrah Municipal Corporation Act, 1980, or — West Ben. Act LVIII of 1980.

(ii) the Calcutta Municipal Corporation Act, 1980, or — West Ben. Act LIX of 1980.

(iii) the Siliguri Municipal Corporation Act, 1990, or — West Ben. Act XXX of 1990.

(iv) the Asansol Municipal Corporation Act, 1990, or — West Ben. Act XXXI of 1990.

(v) the Chandernagore Municipal Corporation Act, 1990, or — West Ben. Act XXXII of 1990.

(vi) the West Bengal Municipal Act, 1993; — West Ben Act XXII of 1993.

(*lc*) "requisition for fire safety" means the statement showing the requirements of fire prevention and fire safety measures to be provided in a premises;

(*ld*) "superior nominated authority" means such officer, not below the rank of Divisional Fire Officer, as may be nominated by the Director, or such officer as may be nominated by the State Government.';

(12) clause (m) and the *Explanation* thereto shall be omitted.

Amendment of section 3.

3. In section 3 of the principal Act,—

(a) in sub-section (1),—

(i) for the words "for service in the local or other areas", the words "for the purposes of extinguishing fire and protecting life and property in the case of fire and for rescue services and such other services as the State Government may, by notification, specify, in the local area or any other area" shall be substituted, and

(ii) for the words "for service therein.", the words "for such purposes or services." shall be substituted;

The West Bengal Fire Services (Amendment) Act, 1996.

(Sections 4-10.)

(b) in sub-section (2), after the words "and shall be otherwise constituted in such manner", the words ", and shall consist of such organisational set up," shall be inserted.

Substitution of new section for section 3A

4. For section 3A of the principal Act, the following section shall be substituted:—

"Auxiliary fire brigade

3A. The State Government may allow raising of an auxiliary fire brigade for the purposes of extinguishing fire and protecting life and property in the case of fire and for such other services as may be determined by the State Government in any local area or any other area in which this Act is not in force, by the local authority for that area, or any organisation or institution, on such terms and conditions as may be determined by the State Government, and may provide such assistance as may be necessary for raising of such fire brigade and allow enrolment of volunteers and other persons as members of such fire brigade on such terms and conditions as the local authority, with the prior approval of the State Government, may determine.".

Insertion of new section 3B.

5. After section 3AA, the following section shall be inserted:—

"Powers of members of auxiliary fire brigade

3B. The members of the auxiliary fire brigade raised under section 3A may be given such of the powers exercised by the members of the fire brigade employed in the West Bengal Fire Service as the State Government may determine.".

Amendment of section 4.

6. In section 4 of the principal Act,—

(a) after the words "make such general or special orders", the words "and make such rules," shall be inserted;

(b) after the words "who may infringe orders", the words "or for giving awards to any member of the fire brigade, whose performance is commendable" shall be inserted;

(c) after the words "powers, duties and functions of the Director", the words "and the other members of the fire brigade" shall be inserted;

(d) after the words "in a due state of efficiency", the words ", for recruitment against various categories of posts under the fire brigade and for regulating the terms and conditions of service of the members of the fire brigade" shall be inserted.

Amendment of section 4A.

7. In sub-section (1) of section 4A of the principal Act,—

(a) for the words "the limits of any area", the words "its jurisdiction to an area" shall be substituted, and

(b) for the words "in a warehouse or a workshop in the neighbourhood of such limits, the occupier of the warehouse or the workshop", the words, figures and letter "in a premises, which otherwise would have required a 'Fire Safety Certificate' under section 11C or a license under section 12," shall be substituted.

Omission of section 4B.

8. Section 4B of the principal Act shall be omitted.

Omission of section 4C.

9. Section 4C of the principal Act shall be omitted.

Amendment of section 5.

10. In sub-section (1) of section 5 of the principal Act,—

(a) in clause (c), for the word "give", the word "ensure" shall be substituted;

(b) in clause (d), for the words "such powers; and", the words "such powers;" shall be substituted;

The West Bengal Fire Services (Amendment) Act, 1996.

(Sections 11-14.)

(c) after clause (e), the following clauses shall be inserted:—

"(f) require an electric supply company or a gas supply company to disconnect supplies and to remain as stand-by for duty until the fire is fully extinguished;

(g) require the Calcutta Tramways Company (1978) Limited or a Railway company, telecom company or electric company to remove overhead lines to facilitate movement of fire-fighting appliances during fire-fighting operations;

(h) require the local authoritites to give prior notice about blocking of roads within the local area so that routing of fire appliances may be planned; and

(i) require telecom companies to assist in tracing and recording fire calls.".

Substitution of new section for section 5A.

11. For section 5A of the principal Act, the following section shall be substituted:—

"Local authority or other agency to secure supply of water

5A. The local authority or any other agency responsible for water supply in an area or owning a source of water or reservoir, shall secure adequate supply of water to the members of the fire brigade or the auxiliary fire brigade raised under section 3A for fire fighting operations on no-charge basis, and shall ensure that such supplies are available at all material times for such purpose.".

Substitution of new section for section 5B.

12. For section 5B of the principal Act, the following section shall be substituted:—

"Person or authority to provide all assistance to deal with fire and rescue service

5B. The Director or the superior nominated authority may require any person or authority maintaining any fire-fighting arrangements to provide all assistance to deal with fire or rescue service.".

Amendment of section 5C.

13. In section 5C of the principal Act,—

(a) for the words "is proceeding", the word "proceeds" shall be substituted,

(b) for the words "and using", the words "sounding its" shall be substituted, and

(c) for the words "not being", the words "other than" shall be substituted.

Insertion of new sections 5D and 5E

14. After section 5C of the principal Act, the following sections shall be inserted:—

"Penalty for malicious call to summon fire brigade.

5D. Any person who makes a malicious call to summon the fire brigade to any place where there is no fire or apprehension of fire or need for rescue work, shall be punishable, on conviction, with fine not exceeding fifty thousand rupees or with imprisonment for a term which may extend to six months or with both.

Penalty for causing obstruction to fire brigade to draw water for fire-fighting purposes

5E. Any person or agency causing obstruction to fire brigade to draw water for fire-fighting purposes from any reservoir or source located in any premises shall be punishable, on conviction, with fine not exceeding fifty thousand rupees or with imprisonment for a term which may extend to six months or with both.".

The West Bengal Fire Services (Amendment) Act, 1996.

(Sections 15-17.)

Amendment of section 8

15. In section 8 of the principal Act,—

(a) in sub-section (1),—

(i) for the word "Magistrate", the words "District Magistrate" shall be substituted,

(ii) for the words "shall have", the word "has" shall be substituted, and

(iii) the words "; and the said Magistrate, in any case where he may deem fit, shall summon witnesses and take evidence in order to the further ascertainment of such facts" shall be omitted;

(b) after sub-section (1), the following sub-section shall be inserted:—

"(1A) The District Magistrate on receiving the report under sub-section (1) may, if he deems fit, cause, either by himself or by any other Magistrate not below the rank of Sub-Divisional Magistrate, an enquiry, summon witnesses and take evidence about the cause of fire and effectiveness of the fire-fighting operations and recommend actions as may be required to be taken to prevent recurrence of similar fire incidents. The District Magistrate shall submit his findings along with his recommendations to the State Government under intimation to the Director. The Director shall take such measures as he may deem fit and necessary on the basis of the said findings and recommendations, and inform the State Government accordingly:

Provided that the State Government may require any fire incident to be enquired into by a committee specially constituted for the purpose in addition to, or in place of, the enquiry as aforesaid.";

(c) for sub-section (2), the following sub-section shall be substituted:—

"(2) Copies of the report referred to in sub-section (1) may be furnished by the District Magistrate to a fire assurance company or other person interested, on payment of such fees and in such manner as may be prescribed.".

Amendment of section 10.

16. In section 10 of the principal Act,—

(a) after sub-section (1), the following sub-section shall be inserted:—

"(1A) The Collector shall grant or refuse a licence under section 9 on the basis of a report from the Director or the nominated authority.";

(b) in sub-section (2),—

(i) in clause (a), for the words "one rupee.", the words "such as may be prescribed." shall be substituted,

(ii) in clause (b), for the words "fifteen rupees", the words "such as may be prescribed and shall be" shall be substituted.

Insertion of new Chapter IIIA

17. After Chapter III of the principal Act, the following Chapter shall be inserted:—

"CHAPTER IIIA

Fire Prevention and Fire Safety

General public to take preventive measures for safety from fire etc

11A. Subject to the provisions of the relevant municipal law, a local authority may require the general public residing in an area within its jurisdiction to take such preventive measures as may be required for safety from fire and other similar hazards.

The West Bengal Fire Services (Amendment) Act, 1996.

(Section 17.)

Owner or occupier of building to make or carry out arrangements necessary for fire prevention etc.

11B. Subject to the provisions of the relevant municipal law and the building rules in force and in consultation with the Director, a local authority may, by general or special order, require the owner or occupier of any building of any or all categories to make or carry out such arrangements as may be necessary for fire prevention and fire safety in that area.

Owner or occupier of high-risk building to provide fire prevention and fire safety measures.

11C. (1) The owner or, where the owner is not traceable, the occupier of a high-risk building or part thereof shall provide fire prevention and fire safety measures in such building or part thereof and the occupier shall maintain the fire prevention and fire safety measures in good repair and in efficient condition at all times in accordance with the provisions of this Chapter or the rules made thereunder:

Provided that in the case of such building or part thereof, the construction of which has been completed on any date before the date on which this Chapter comes into force, the occupier and, in the case of such building or part thereof which is under construction on the date immediately before the date on which this Chapter comes into force, the owner shall undertake and carry out such additional fire prevention and fire safety measures as are specified in the notice served on him under section 35.

(2) The owner or occupier of a high-risk building, as the case may be, shall furnish to the Director or the nominated authority a 'Fire Safety Certificate' in the prescribed form issued by a licensed agency in the manner prescribed.

(3) The State Government may require compulsory endorsement of 'Fire Safety Certificate' by the Director or by a superior nominated authority in respect of any class or classes of high-risk buildings as may be notified by the State Government from time to time:

Provided that the Director or a superior nominated authority shall not endorse any 'Fire Safety Certificate' unless he or it is satisfied about the fire prevention and fire safety measures including safety of electrical installations and provision of supply of adequate quantity of water for fighting purposes made by the owner or occupier of such building.

(4) The occupiers of all high-risk buildings shall carry out a mock fire drill involving the watch and ward staff of such buildings every year under intimation to the Director or the nominated authority in such manner as may be prescribed and a certificate of performance of such drill shall be furnished to the Director or the nominated authority, as the case may be.

(5) No person shall tamper with, or alter, or remove, or cause any injury or damage to, any fire prevention or fire safety equipment installed in any such building or part thereof or instigate any other person to do so.

'No objection' required under any other law.

11D. A fire safety certificate duly endorsed under sub-section (3) of section 11C shall be the 'no objection' regarding fire prevention and fire safety measures for a building or installation under the Indian Explosives Act, 1884, or the Explosive Substances Act, 1908, or the Petroleum Act, 1934, or the Inflammable Substances Act, 1952, or the Cinematograph Act, 1952, or the rules made thereunder, or under any other law for the time being in force, as required from the Director.

4 of 1884.
6 of 1908.
30 of 1934
20 of 1952.
37 of 1952.

The West Bengal Fire Services (Amendment) Act, 1996.

(Section 17.)

Special fee

11E. (1) With effect from such date as the State Government may, by notification, appoint in this behalf, there shall be levied a special fee for the purposes of this Act on the owners of such class or classes of high-risk buildings within a local area in which this Act is in force as may be prescribed:

Provided that no special fee shall be levied on any such building or part thereof, which by virtue of its being used for any of the purposes referred to in section 12, requires a licence under that section.

(2) (a) The State Government shall prescribe by rules the rate of special fee for different classes of high-risk buildings on the basis of the total floor area of all the floors of a building as shown in the approved building plan:

Provided that the rate of such special fee may be different for different local areas.

(b) The manner of imposition, assessment and collection of such special fee shall be such as may be prescribed.

(3) The special fee referred to in sub-section (1) shall be payable by the owner of a high-risk building at the time of submission of application to a local authority for approval of the building plan under the building rules:

Provided that in the case of every high-risk building referred to in sub-section (1), the construction of which has been completed on any date before the date of coming into force of this Chapter or, in the case of any such building the construction of which has been completed on or after the date of coming into force of this Chapter, the special fee, unless it has already been paid in accordance with the provisions of any other law in force on the date immediately before the date appointed under sub-section (1), shall be payable,—

(a) in the former case, by the owner or, if the owner is not traceable, the occupier, and

(b) in the latter case, by the owner,

of the building within three months from the date of receipt by the owner or occupier, as the case may be, of the notice of demand in this behalf.

(4) The State Government may also levy annually a further special fee referred to in sub-section (1) with a view to defraying the expenses for regular checking and inspection and other incidental expenses so as to require and cause the occupier of a high-risk building to keep the necessary installations in fit condition, and such special fee shall be payable by the occupier, in the case of a building existing on the date immediately before the date appointed under sub-section (1), from the date appointed under sub-section (1), and, in the case of a building the construction of which has been completed on or after the date appointed under sub-section (1), from the date of occupancy of the building as may be certified by the local authority, and in advance annually at the time of submission of the 'Fire Safety Certificate' under sub-section (2) of section 11C:

Provided that the liability of the occupier to pay the special fee under this sub-section shall be only to the extent of the special fee payable in respect of the floor area of the building under his occupation including his share of the area comprising common facilities in such building or part thereof.

Explanation.—Notwithstanding anything contained elsewhere in this Act, for the purposes of this section and section 11C, "owner" shall include a promoter as defined in the West Bengal Building (Regulation of Promotion of Construction and Transfer by Promoters) Act, 1993, or a co-operative society, or a company or an owner of an apartment as defined in the West Bengal Apartment Ownership Act, 1972.

West Ben. Act XX of 1993.
West Ben. Act XVI of 1972.

The West Bengal Fire Services (Amendment) Act, 1996.

(Section 18.)

Grant of license to act as licensed agency

11F. (1) The Director may, from time to time and in accordance with such qualifications, experience or other matter in this behalf as may be prescribed in respect of such classes of buildings as may be prescribed, grant any person or association of persons, a license to act as licensed agency for the purposes of this Act.

(2) Every such license shall be renewed every three years.

(3) The State Government may, from time to time, prescribe a scale of fee for licensed agencies in respect of any class of building, if there is no written contract in this behalf to the contrary.

(4) Where the Director has reason to believe that any person to whom a license has been granted under sub-section (1) has contravened any provisions of this Act or the rules made thereunder or has failed to comply with the conditions of the license or is unfit to hold the license by reason of incompetence, misconduct or any other reasons, the Director may, after giving the person a reasonable opportunity to show cause, suspend or cancel the license, after recording the reasons in writing.

Bar to carry out work of providing fire prevention etc

11G. No person, other than a licensed agency, shall carry out, in the manner prescribed, the work of providing fire prevention and fire safety measures or performing such other related activities required to be carried out in any high-risk building or part thereof under this Act.

Bar to compromise fire safety.

11H. Where the wilful default on the part of a licensed agency in respect of fire safety of any building or premises is compromised, such licensed agency shall be liable to criminal prosecution and, in the event of any fire accident in such building or premises, shall make good all damages on account of such fire accident.

Appeal against order of Director

11I. (1) Any person aggrieved by an order of the Director under this Chapter may, within thirty days of the service of the order, prefer an appeal to such authority as may be prescribed.

(2) The manner in which an appeal shall be filed and the manner of deciding the appeal shall be such as may be prescribed.

Penalty for contravention of provisions of Chapter IIIA.

11J. Whoever contravenes any provision of Chapter IIIA or the rules made thereunder or fails to comply with any requisition lawfully made to him under any provision of Chapter IIIA or the rules made thereunder shall, without prejudice to any other action that may be taken against him under section 36 or section 37, be punishable with imprisonment for a term of three years which may extend to five years or with fine of twenty thousand rupees which may extend to five lakh rupees or with both and, where the offence is a continuing one, with a further fine of one thousand rupees which may extend to ten thousand rupees for every day during which such offence continues after the conviction for the first such offence.

Penalty for furnishing false 'Fire Safety Certificate'.

11K. Any person associated with a licensed agency for any of the purposes of Chapter IIIA, who knowingly furnishes a false 'Fire Safety Certificate', shall be punishable with imprisonment for a term of three years which may extend to five years or with fine of twenty thousand rupees which may extend to five lakh rupees or with both.".

Amendment of heading in Chapter IV

18. In Chapter IV of the principal Act, for the heading "Licensed Warehouses or Workshops.", the heading "License for Storing Hazardous Substances." shall be substituted.

The West Bengal Fire Services (Amendment) Act, 1996.

(Sections 19-22.)

Substitution of new section for section 12.

19. For section 12 of the principal Act, the following section shall be substituted:—

"Bar to use of premises for storing or processing hazardous substances without license

12. No premises in any area where this Act is in force shall be used for the purpose of storing or processing at any material point of time hazardous substances beyond such quantity as may be prescribed unless the owner or occupier thereof shall have previously been granted a license by the Collector.".

Substitution of new section for section 13.

20. For section 13 of the principal Act, the following section shall be substituted:—

"Premises to conform to prescribed conditions.

13. No license to use any premises for the purpose referred to in section 12 shall be granted unless such premises conforms to such conditions as may be prescribed.".

Substitution of new section for section 14

21. For section 14 of the principal Act, the following section shall be substituted:—

"Issue of license

14. An application for license referred to in section 12 shall be made to the Collector in the prescribed form along with an authenticated copy of the requisition for fire safety issued by a licensed agency and duly endorsed, in such manner as may be prescribed, by the Director or superior nominated authority, and such other documents as may be prescribed. The Collector shall, on scrutiny of the application, the requisition for fire safety and other documents, compute the annual fee payable by the applicant and shall, on payment of such fee in advance, issue the licence to the applicant on such terms and conditions as may be prescribed:

Provided that any owner or occupier of any premises which requires a license under section 12 and who holds a valid license under this Act on the day immediately before the date of coming into force of the West Bengal Fire Services (Amendment) Act, 1996, shall not be required to apply for a license but shall, at the time of renewal, make an application for a fresh license under this Act:

Provided further that where any owner or occupier of any premises which requires a license under section 12 has made an application for a license under this Act before the coming into force of the West Bengal Fire Services (Amendment) Act, 1996, but has not been granted a license till the date immediately before the date of coming into force of that Act, such owner or occupier shall be required to make an application for such license in accordance with the provisions of this Act.".

Amendment of section 15.

22. In section 15 of the principal Act,—

(a) for the marginal note, the following marginal note shall be substituted:—

"Conditions of grant of license.";

(b) for sub-section (1), the following sub-section shall be substituted:—

"(1) Non-fulfilment of any fire prevention and fire safety measures as may be referred to in the 'Fire Safety Certificate' shall be a breach of a condition of license.";

(c) for sub-section (2), the following sub-section shall be substituted:—

"(2) Every license granted under section 12 shall be required to be renewed annually; application for renewal of license along with duly endorsed 'Fire Safety Certificate' and such other documents as may be prescribed shall be made to the Collector, who shall renew the license on such scrutiny as he may consider necessary and on payment of the prescribed annual fees:

The West Bengal Fire Services (Amendment) Act, 1996.

(Sections 23-25.)

Provided that if an applicant so desires, he may renew the license for three years at a time on payment of the prescribed fees.";

(d) for sub-section (3), the following sub-section shall be substituted:—

"(3) The annual fee shall be payable in advance in respect of the period commencing from the date from which the premises is used for the purpose referred to in section 12 in the case of new license, and from the date following the date of expiry of the license in the case of the renewal of license.";

(e) in sub-section (4),—

(i) for the words, figures and brackets "sub-section (1) or sub-section (3),", the word and figures "section 14," shall be substituted;

(ii) for the words "building or place", the word "premises" shall be substituted;

(iii) for the words "used as a warehouse or workshop is in the public interest", the words and figures "used for the purpose referred to in section 12 is" shall be substituted;

(f) in sub-section (5),—

(i) for the word "from", the word "against" shall be substituted, and

(ii) in the proviso, for the words "a court-fee stamp of one rupee.", the words "such court-fee stamp as may be prescribed." shall be substituted.

Amendment of section 16.

23. In section 16 of the principal Act,—

(a) the words and figures "or under section 15" shall be omitted,

(b) for the word "thirty" in the two places where it occurs, the word "sixty" shall be substituted, and

(c) for the words "for the use as a warehouse or as a workshop of the building or place in respect of which the application was made,", the words and figures "for the use of the premises for the purposes referred to in section 12," shall be substituted.

Omission of section 17

24. Section 17 of the principal Act shall be omitted.

Substitution of new section for section 18

25. For section 18 of the principal Act, the following section shall be substituted:—

"Annual fee

18. (1) The annual fee for any premises, which requires a license under section 12, shall be such as may be prescribed:

Provided that the State Government may by rules prescribe different rates of annual fee for different hazardous substances and for different local areas.

(2) A rebate in annual fee at such rate as may be determined by the State Government shall be allowed in the prescribed manner in respect of the premises where the owner or occupier maintains his own fire services, employing qualified and full-time fire personnel supported by adequate fire-fighting appliances:

Provided that a monthly return of the fire-fighting appliances, fire personnel and such other details as may be prescribed shall be furnished to the Director or the superior nominated authority and such fire services shall be subject to inspection by the Director or the superior nominated authority:

Provided further that in case the fire cover provided is found to be inadequate, such rebate may be withdrawn and the annual fee for the period commencing from the date on which the fire cover became inadequate, may be required to be paid.".

The West Bengal Fire Services (Amendment) Act, 1996.

(Sections 26-32.)

Amendment of section 19

26. In section 19 of the principal Act,—

(a) the words "and so often as" shall be omitted,

(b) for the words "warehouse or workshop" in the two places where they occur, the words and figures "premises requiring a license under section 12" shall be substituted,

(c) for the words "a fee of ten rupees;", the words "such fee as may be prescribed;" shall be substituted, and

(d) for the words "for the name of the last occupier.", the words "in lieu of the name of the previous occupier." shall be substituted.

Substitution of new section for section 20

27. For section 20 of the principal Act, the following section shall be substituted:—

"Suspension or withdrawal of license

20. A license issued under section 14 may, without prejudice to any other action that may be taken aginst the licensee, be suspended or withdrawn by the Collector after giving the licensee an opportunity of being heard, if, in the opinion of the Collector, it is necessary to do so in the public interest or if there has been a breach of any prescribed condition.".

Omission of section 21

28. Section 21 of the principal Act shall be omitted.

Amendment of section 22

29. In section 22 of the principal Act, after the words "any officer or officers", the words " , not below the rank of Sub-Divisional Officer," shall be inserted.

Amendment of section 23

30. In sub-section (1) of section 23 of the principal Act,—

(a) for the words "performed also by—", the words "performed also by such other officer or officers as may be specified therein." shall be substituted;

(b) clauses (a), (b), (c) and (d) shall be omitted;

(c) sub-section (2) and sub-section (3) shall be omitted.

Amendment of section 23A

31. In section 23A of the principal Act,—

(a) in sub-section (1),—

(i) after the words "other like material", the words "in an area where this Act is in force" shall be inserted,

(ii) after the words "shall apply to the Director", the words "or the superior nominated authority along with the prescribed fees" shall be inserted, and

(iii) the following proviso shall be added at the end:—

"Provided that the State Government may prescribe by rules the essential requirements of a 'Fire Safety Certificate' in respect of any class or classes of temporary structures or pandals.";

(b) in clause (b) of sub-section (2), after the words "permission of the Director", the words "or the superior nominated authority" shall be inserted.

Substitution of new section for section 23B

32. For section 23B of the principal Act, the following section shall be substituted:—

"Dismantling of temporary structure or pandal

23B. The Director or the superior nominated authority with the assistance of the local authority and under police protection shall dismantle a temporary structure or pandal erected in contravention of the provisions of sub-section (1), and the cost of such dismantling shall be charged to the person who so erects the temporary structure or pandal, as the case may be.".

The West Bengal Fire Services (Amendment) Act, 1996.

(Sections 33-42.)

Amendment of section 23C

33. In section 23C of the principal Act,—
(a) the words "before a Magistrate" shall be omitted, and
(b) for the words "one hundred", the words "two thousand" shall be substituted.

Amendment of section 24

34. In section 24 of the principal Act,—
(a) the words "before a Magistrate" shall be omitted, and
(b) for the words "one hundred", the words "five thousand" shall be substituted.

Amendment of section 25.

35. In section 25 of the principal Act,—
(a) the words "before a Magistrate" shall be omitted, and
(b) for the words "one hundred", the words "five thousand" shall be substituted.

Amendment of section 26

36. In section 26 of the principal Act,—
(a) for the words "building or place as a warehouse or as a workshop", the words and figures "premises for the purpose referred to in section 12" shall be substituted,
(b) the words "before a Magistrate" shall be omitted, and
(c) for the words "warehouse or workshop.", the word "premises." shall be substituted.

Amendment of section 27

37. In section 27 of the principal Act,—
(a) for the words "uses any warehouse or workshop", the words and figures ", for the purpose referred to in section 12, uses any premises" shall be substituted,
(b) the words "before a Magistrate" shall be omitted, and
(c) for the words "warehouse or workshop.", the word "premises." shall be substituted.

Amendment of section 28

38. In section 28 of the principal Act,—
(a) for the words "warehouse or workshop", the word "premises" shall be substituted, and
(b) the words "before a Magistrate" shall be omitted.

Amendment of section 29

39. In section 29 of the principal Act,—
(a) the words "and so often as" shall be omitted,
(b) for the words "any warehouse or workshop,", the words and figures "any premises referred to in section 12," shall be substituted,
(c) the words "before a Magistrate" shall be omitted,
(d) for the word "twenty", the words "five thousand" shall be substituted, and
(e) for the words "such warehouse or workshop.", the words "such premises." shall be substituted.

Omission of section 30

40. Section 30 of the principal Act shall be omitted.

Omission of section 31

41. Section 31 of the principal Act shall be omitted.

Substitution of new section for section 32

42. For section 32 of the principal Act, the following section shall be substituted:—

"Owner or occupier of building or premises to compensate person affected by fire

32. Whenever on enquiry into an incident of fire by the District Magistrate or by the committee specially constituted by the State Government under sub-section (1A) of section 8 it is established that the incident of fire was due to wilful default or negligence on the part of the owner or occupier of any building or premises, such owner or occupier

The West Bengal Fire Services (Amendment) Act, 1996.

(Sections 43-47.)

shall be liable to compensate every person affected by such fire for the loss sustained by him in addition to his being liable to criminal prosecution.".

Substitution of new section for section 33.

43. For section 33 of the principal Act, the following section shall be substituted:—

'Offences by companies.

33. (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) "company" means a body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.'.

Amendment of section 33A.

44. In section 33A of the principal Act,—

(a) the words "before a Magistrate" shall be omitted,

(b) for the words "one thousand", the words "fifty thousand" shall be substituted, and

(c) for the words "one hundred", the words "three thousand" shall be substituted.

Amendment of section 33B.

45. In section 33B of the principal Act,—

(a) the words "before a Magistrate" shall be omitted, and

(b) for the words "one hundred", the words "five thousand" shall be substituted.

Amendment of section 33C.

46. In section 33C of the principal Act, the words, figures and letter ", except where punishable under section 23B," shall be omitted.

Substitution of new section for section 34.

47. For section 34 of the principal Act, the following section shall be substituted:—

'Inspection of building or premises.

34. (1) The Director or the nominated authority may enter and inspect any building or part thereof or any premises at any time between sunrise and sunset where such inspection appears necessary for ascertaining the contravention, if any, of fire prevention and fire safety measures referred to in section 11C and of the conditions referred to in section 13:

Provided that the Director or the nominated authority may enter into and inspect any such building or part thereof or premises at any time if it appears to him or it to be expedient and necessary to do so in order to ensure safety of life and property.

(2) The Director or the nominated authority, as the case may be, shall be provided with all possible assistance by the owner or occupier, as the case may be, of such building or part thereof or premises for carrying out the inspection under sub-section (1).

(3) When any such building or part thereof or premises used as a human dwelling is entered under sub-section (1), due regard shall be paid to the social and religious sentiments of the occupiers; and before any flat or part of such building or premises in the actual occupancy of any woman who, according to the custom, does not appear

The West Bengal Fire Services (Amendment) Act, 1996.

(Sections 48-51.)

in public, is entered under sub-section (1), notice shall be given to her that she is at liberty to withdraw, and every reasonable facility shall be afforded to her for withdrawing.

(4) Where the inspection is carried out by the nominated authority under the foregoing provisions of this section, it shall give a report of any such inspection to the Director or the superior nominated authority.

Explanation.—For the purposes of this section, "flat" shall have the meaning assigned to it in the West Bengal (Regulation of Promotion of Construction and Transfer by Promoters) Act, 1993.". West Ben. Act XX of 1993.

Substitution of new section for section 35.

48. For section 35 of the principal Act, the following section shall be substituted:—

"Issue of notice to owner oroccupier to undertake fire prevention and fire safety measures.

35. The Director or the superior nominated authority, as the case may be, shall, after completion of the inspection of the building or part thereof or the premises referred to in section 34, record his or its views on the deviations from, or contravention of, the requirements with regard to the fire prevention and fire safety measures or the inadequacy of, or non-compliance with, such measures provided or to be provided therein with reference to the structure of the building or the premises or the nature of activities carried on in such building or part thereof or premises and issue a notice to the owner or occupier of such building or part thereof or premises directing him to undertake such measures, and within such time, as may be specified in the notice. Where the owner is not available, the occupier shall undertake such measures in the interest of public safety, notwithstanding anything contained in any other law for the time being in force.".

Substitution of new section for section 36.

49. For section 36 of the principal Act, the following section shall be substituted:—

"Compliance with notice issued under section 35.

36. (1) The Director may, in the event of non-compliance with any notice issued under section 35, take such steps as may be necessary for the compliance with such notice.

(2) All expenses incurred by the Director in relation to any steps taken by him under sub-section (1) shall be payable, on demand, by the owner or occupier on whom such notice is served, and shall, if not paid within 30 days of such demand, be recoverable under the Bengal Public Demands Recovery Act, 1913.". Ben. Act III of 1913.

Substitution of new section for section 37.

50. For section 37 of the principal Act, the following section shall be substituted:—

"Recovery of fees

37. (1) The fees payable under this Act, if not paid within the time provided in this Act or the rules made thereunder, shall be recoverable as a public demand under the Bengal Public Demands Recovery Act, 1913.

(2) The State Government may remit payment of fees in such cases as may be recommended by the Collector.".

Substitution of new section for section 37A.

51. For section 37A of the principal Act, the following section shall be substituted:—

"Director or superior nominated authority to seal building.

37A. (1) If the Director or the superior nominated authority is satisfied that owing to inadequacy of fire prevention and fire safety measures, the condition of any high-risk building or part thereof is in imminent danger to person or property, then, notwithstanding anything contained in this Act or in any other law for the time being in force, he or it shall, by order to be recorded in writing, require the persons in possession or occupation of such building or part thereof to remove themselves forthwith from such building or part thereof.

The West Bengal Fire Services (Amendment) Act, 1996.

(Sections 52, 53.)

(2) If an order made by the Director or the superior nominated authority under sub-section (1) is not complied with, the Director or the superior nominated authority, as the case may be, may direct any police officer having jurisdiction to remove such persons from such building or part thereof and such police officer shall comply with such direction.

(3) After the removal of the persons under sub-section (1) or sub-section (2), as the case may be, the Director or the superior nominated authority, as the case may be, shall seal such building or part thereof.

(4) No person shall remove such seal except under a written order made by the Director or the superior nominated authority suo motu or on application by the owner or occupier.

(5) Any person who contravenes the provisions of sub-section (4) shall be punishable with imprisonment for a term of three years which may extend to five years or with fine of twenty thousand rupees which may extend to five lakh rupees or with both.".

Substitution of new section for section 38

52. For section 38 of the principal Act, the following section shall be substituted:—

"Appeal against order under section 35, section 36 or section 37.

38. (1) Any person aggrieved by an order under section 35, section 36 or section 37, may, within thirty days of the service of the order, prefer an appeal to such authority as may be prescribed for the purpose.

(2) The manner in which an appeal shall be filed and the manner of deciding the appeal shall be such as may be prescribed.".

Insertion of new sections 38A, 38B, 38C, 38D, and 38E.

53. After section 38 of the principal Act, the following sections shall be inserted:—

"Court not to entertain any suit, application or other proceeding.

38A. No Court shall entertain any suit, application or other proceeding in respect of any notice under section 35 or any step taken under section 36 or any refusal to permit removal of seal under sub-section (4) of section 37, and no such notice or step or refusal shall be called in question otherwise than by preferring an appeal as provided in this Act.

Compounding of offences.

38B. (1) The District Magistrate within whose jurisdiction a local area lies, or such other officer as may be prescribed for a local area, may, by general or special order, either before or after the institution of proceedings in this behalf, compound any offence punishable by or under this Act or the rules made thereunder or withdraw from such proceedings.

(2) When an offence has been compounded under sub-section (1), the offender, if in custody, shall be discharged, and no further proceedings shall be taken against him in respect of the offence so compounded.

Court not to take cognizance of offence except on complaint

38C. Save in the case of cognizable offences under this Act, no court shall take cognizance of an offence under this Act or the rules made thereunder except on the complaint of, or upon the information received from, the Director or any other officer authorised by him in this behalf.

Protection of action taken in good faith

38D. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

Officers and other employees to be public servants.

38E. Every officer and every other employee acting under the provisions of this Act or the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.". 45 of 1860.

The West Bengal Fire Services (Amendment) Act, 1996.

(Sections 54-56.)

Amendment of section 40.

54. In section 40 of the principal Act,—

(a) in sub-section (1), the words "in the *Official Gazette*" shall be omitted;

(b) in sub-section (2),—

(i) clauses (a) and (aaa) shall be omitted;

(ii) for clause (b), the following clause shall be substituted:—

"(b) the annual fee referred to in sub-section (1) of section 18;";

(iii) clause (c) shall be omitted;

(iv) for clause (cc), the following clause shall be substituted:—

"(cc) the manner of allowing rebate in annual fee under sub-section (2) of section 18;";

(v) clause (d) shall be omitted;

(vi) for clause (f), the following clauses shall be substituted:—

"(f) the minimum standards for fire prevention and fire safety measures;

(g) the qualifications, experience or other matter for granting licence to act as licensed agency under section 11F;

(h) the authority to whom appeal shall be preferred, the manner in which appeal shall be filed, and the manner of deciding appeal, under section 38;

(i) any other matter which may be, or is required to be, provided by rules.".

Insertion of new sections 41 and 42.

55. After section 40 of the principal Act, the following sections shall be inserted:—

"Regulation to be approved by State Government.

41. No regulation made by the Director under sub-section (3) of section 3 shall be valid unless it is approved by the State Government.

Act to have overriding effect.

42. (1) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

(2) Subject to the provisions of sub-section (1), the provisions of this Act shall be in addition to, and, save as otherwise expressly provided in this Act, shall not be in derogation of, the provisions of any relevant municipal law in force in any area in which this Act comes into force.".

Repeal

56. The West Bengal Fire Services (Amendment) Ordinance, 1996, is hereby repealed. West Ben. Ord. I of 1996.

By order of the Governor,

S. MAITRA,

Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-83

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 3] FRIDAY, MAY 24, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 1299-F.T. Calcutta, the 24th May, 1996.

NOTIFICATION

WHEREAS the Governor is satisfied that it is necessary so to do in the public interest;

NOW, THEREFORE, in exercise of the power conferred by sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (74 of 1956), the Governor is pleased hereby to make the following amendment in this department notification No. 2650-F.T., dated the 14th September, 1995 (hereinafter referred to as the said notification):—

Amendment

In the said notification, for the figures, letters and words "24th day of May, 1996,", *substitute* the figures, letters and words "24th day of May, 1997,".

By order of the Governor,

N. BARMAN ROY,
Asstt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC—247

WB/2040/LA/BWN/96

SL. No. 997/LA/

The Calcutta Gazette

Extra-ordinary

Published by Authority

[Jaistha 10] [Friday, May 24, 1996] [Saka—1918]

Part I —Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL
LAND AND LAND REFORMS DEPARTMENT
Land Acquisition

NOTIFICATION

Burdwan No.—2039/LA/2R-28/96 Dated : 8. 4. 96

Whereas it appears to the Governor that land is likely to be needed to be taken by Government at the public expense for a public purpose, viz. for acquisition of land in connection with 4 laning of N. H. 2 between Raniganj (474 Km) and Panagarh (516 Km.) on ADB loan assistance Project in the mouza Amrasota, Ronai and Mangalpur, Jurisdiction list No. 18 23 and 22 P. S. Raniganj, District Burdwan, it is hereby notified that for the above purpose a piece of land comprising revisional settlement plots as detailed below and measuring, more or less, 0·2522 hectares 0·623 acres. bounded as specified below is likely to be needed within the aforesaid mouza Amrasota, Ronai and Mangalpur.

This notification is made, under the provisions of section 4 of Act 1 of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Burdwan.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and work-men, to enter upon and survey the land and do all other acts required or permitted by that Section.

LAND SHEDULE

Mouza—Amrasota J. L. No.—18, P. S.—Raniganj District – Burdwan

R. S. Plot in part—

Plot No.	Specific portion of the plot	Area in Acre	Area in hectare
1033	South east corner	·002	·0008
Mouza—Ronai	J. L. No.—23	P. S. - Raniganj	Dist—Burdwan
19	Northern	·052	·0210
20	Northern	·01	·0040
21	Northern	·022	·0089
22	Northern	·02	·0081
43	Northern	·012	·0048
44	Northern	·16	·0648
148	Northern	·03	·0121
149	Northern	·09	·0364

R. S. Plots in part :—

Mouza—Mangalpur J. L. No. -22 P. S.—Raniganj District—Burdwan

Plot No.	Specific portion of the plot	Area in acre	Area in hectare
11	Northern	·014	·0056
12	Northern	·012	·0048
13	Northern	·02	·0081
15	Northern	·045	·0182
21	Northern	·022	·0089
22	Northern	·006	·0024
70	North eastern	·009	·0036
532	Northern	·057	·0230
589	Northern	·012	·0048
70/1888	Northern	·02	·0081
21/1917	Northern	·008	·0032

By order of the Governor,
S. C. Pahari
Dy. Secy. to the Govt. of W. B.

Price—Re. 0.20

Published by C. P. S. W. B and Printed by D. M. Burdwan at
Zilla Parishad Press, Burdwan, P.O.& Dist. Burdwan-713101.

Registered No. WB/SC-247

No. WB/CPS/K-3/(Part I)/96

The Calcutta Gazette

Extraordinary

Published by Authority

JAISTHA 7] TUESDAY, MAY 28, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

JUDICIAL DEPARTMENT

NOTIFICATION

No. 7484-J/J 2G-26/86 -The 28th May, 1996.—In exercise of the power conferred by clause (1) of Article 165 of the Constitution of India, the Governor has been pleased to appoint Shri Nara Narayan Gooptu, Bar-at-Law, to be the Advocate General for the State of West Bengal, on usual terms and conditions, until further orders, with immediate effect.

By order of the Governor,

Sd/- N. KRISHNAMURTHY,

Chief Secretary to the Govt. of West Bengal

Published by the Controllar of Printing and Stationery, West Bengal and printed by the Superintendent, Government Printing at the West Bengal Govt. Press, Kadapara.

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-93

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 20] MONDAY, JUNE 10, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 1413-F.T. Calcutta, the 10th June, 1996.

NOTIFICATION

In exercise of the power conferred by sub-section (3) of section 1 of the West Bengal Sales Tax Act, 1994 (West Ben. Act XLIX of 1994), the Governor is pleased hereby to appoint the 1st day of July, 1996, as the date on which the provisions of clause (b) of sub-section (1) of section 52, section 53, section 54, section 55, section 56 and section 84 of, and Schedule X to, the said Act shall come into force.

By order of the Governor,

N. BARMAN ROY,
Dy. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-95

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 20] MONDAY, JUNE 10, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 1415-F.T. Calcutta, the 10th June, 1996.

NOTIFICATION

In exercise of the power conferred by sub-section (4) of section 52 of the West Bengal Sales Tax Act, 1994 (West Ben. Act XLIX of 1994) (hereinafter referred to as the said Act), the Governor is pleased hereby to appoint Shri Abdul Mannan, Deputy Commissioner, Commercial Taxes, as the Tax Recovery Officer in respect of the following areas over which he shall exercise jurisdiction for the purposes of section 52, section 53, section 54, section 55 and section 56 of the said Act and the rules in Schedule X to the said Act:—

Sl. No.	Areas.
1.	Calcutta as defined in section 2 of the Calcutta Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980).
2.	District of North 24-Parganas.
3.	District of South 24-Parganas.

This notification shall come into force with effect from the 1st day of July, 1996.

By order of the Governor,

N. BARMAN ROY,
Dy. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-96

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 20] MONDAY, JUNE 10, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 1416-F.T. Calcutta, the 10th June, 1996.

NOTIFICATION

In exercise of the power conferred by sub-section (4) of section 52 of the West Bengal Sales Tax Act, 1994 (West Ben. Act XLIX of 1994) (hereinafter referred to as the said Act), the Governor is pleased hereby to appoint the officers specified in column (2) of the Table below as the Tax Recovery Officers in respect of the corresponding areas specified in column (3) of the said Table over which they shall exercise jurisdiction for the purpose of section 52, section 53, section 54, section 55 and section 56 of the said Act and the rules in Schedule X to the said Act.

TABLE

Sl. No.	Name and designation of officers.	Areas.
1	2	3
1.	Shri Kalidas Mandal, Assistant Commissioner of Commercial Taxes.	Calcutta as defined in section 2 of the Calcutta Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980) and the district of South 24-Parganas.
2.	Shri Palas Majumdar, Assistant Commissioner of Commercial Taxes.	Calcutta as defined in section 2 of the Calcutta Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980) and the district of South 24-Parganas.
3.	Shri Monotosh Chandra Saha, Assistant Commissioner of Commercial Taxes.	Calcutta as defined in section 2 of the Calcutta Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980) and the district of North 24-Parganas.
4.	Shri Ashoke Ranjan Biswas, Assistant Commissioner of Commercial Taxes.	Calcutta as defined in section 2 of the Calcutta Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980) and the district of North 24-Parganas.

2. This notification shall come into force with effect from the 1st day of July, 1996.

By order of the Governor,

N. BARMAN ROY,
Dy. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-97

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 20] MONDAY, JUNE 10, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 1418-F.T. Calcutta, the 10th June, 1996.

NOTIFICATION

In exercise of the power conferred by sub-rule (2) of rule 52 of the West Bengal Sales Tax (Certificate Proceedings) Rules, 1996, read with sub-rule (1) of rule 87 of the rules laid down in Schedule X to the West Bengal Sales Tax Act, 1994 (West Ben. Act XLIX of 1994) (hereinafter referred to as the said Act), the Governor is pleased hereby to appoint the following Additional Commissioner of Commercial Taxes within the meaning of clause (1) of section 2 of the said Act as specified in column (2) of the Table below as the appellate authority in respect of the corresponding areas specified in column (3) of the said Table over which they shall exercise jurisdiction for the purpose of disposing of appeals arising out of the orders passed by the Tax Recovery Officers in terms of section 52, section 53, section 54 and section 56 of the said Act and the rules laid down in Schedule X to the said Act.

TABLE

Sl. No.	Name of the Additional Commissioner of Commercial Taxes.	Jurisdiction.
1	2	3
1.	Shri Jugal Kishore Goswami	Calcutta as defined in clause (1) of section 2 of the Calcutta Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980), district of North 24-Parganas and the district of South 24-Parganas.

2. This notification shall come into force on the 1st day of July, 1996.

By order of the Governor,

N. BARMAN ROY,
Dy. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No.WB/DTP/Pt.I/CPS/96/1556

The Calcutta Gazette

Extraordinary
Published by Authority

JYAISTHA 20] MONDAY, JUNE 10, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL
Judicial Department

NOTIFICATION

No. 7798–J

Dated, Calcutta the 10th June, 1996

WHEREAS the Board of Wakfs, West Bengal, constituted by this department notification No. 22446-J, dated the 3rd September, 1990, under the Bengal Wakf Act, 1934, (Ben. Act XIII of 1934), was superseded with immediate effect by this department notification No. 16462-J, dated the 6th September, 1995;

AND WHEREAS the said Board of Wakfs was not reconstituted or re-established under the Bengal Wakf Act, 1934 (Ben. Act XIII of 1934);

AND WHEREAS the Wakf Act, 1995 (43 of 1995) has come into force in the State of West Bengal on the 1st day of January, 1996;

AND WHEREAS by virtue of the provisions of sub-section *(3)* of section 112 of the Wakf Act, 1995 (43 of 1995), the Bengal Wakf Act, 1934 (Ben. Act XIII of 1934) stands repealed with effect from the 1st day of January, 1996;

AND WHEREAS sub-section *(1)* of section 99 of the Wakf Act, 1995 (43 of 1995) provides, *inter alia*, that the State Government may, by notification in the *Official Gazette*, supersede a Board of Wakf for a period not exceeding six months;

NOW, THEREFORE, in exercise of the power conferred by clause *(a)* of sub-section *(3)* of section 99 of the Wakf Act, 1995 (43 of 1995), the Governor has been pleased to extend the period of supersession of the said Board of Wakf for a further period of six months from the 6th day of March, 1996 or till the said Board of Wakf is reconstituted in the manner provided in section 14 of the Wakf Act, 1995 (43 of 1995), whichever is earlier.

By order of the Governor,

P.K. Sengupta

Secy. to the Govt. of West Bengal.

Published by the Controller of Printing & Stationery, West Bengal and printed at DTP Press, 10 Rainey Park, Calcutta – 700 019

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-11**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 21] TUESDAY, JUNE 11, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 989-L.—11th June, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act VIII of 1996

THE WEST BENGAL ACUPUNCTURE SYSTEM OF THERAPY ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 11th June, 1996.]

An Act to provide for the development of the Acupuncture system of therapy, to regulate the teaching and practice thereof and to deal with certain other connected matters.

WHEREAS it is expedient to provide for the development of the Acupuncture system of therapy, to regulate the teaching and practice thereof and to deal with certain other connected matters;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the West Bengal Acupuncture System of Therapy Act, 1996.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette,* appoint.

The West Bengal Acupuncture System of Therapy Act, 1996.

(Sections 2-4.)

Definitions

2. In this Act, unless the context otherwise requires,—

(1) "Acupuncture" means the Acupuncture system of therapy recommended by the World Health Organisation and the Council of Acupuncture Therapy, West Bengal;

(2) "Council" means the Council of Acupuncture Therapy, West Bengal, constituted under section 3;

(3) "member" means a member of the Council;

(4) "prescribed" means prescribed by rules;

(5) "President" means the President of the Council;

(6) "Register" means the Register of Acupuncture practitioners maintained under this Act;

(7) "registered Acupuncture practitioner" means an Acupuncture practitioner registered under the provisions of this Act;

(8) "Registrar" means the Registrar of the Council;

(9) "regulations" means the regulations made by the Council under this Act;

(10) "rules" means the rules made by the State Government under this Act;

(11) "teacher" means any person appointed by an Acupuncture institution affiliated to, or recognised by, the Council to hold a teaching post;

(12) "Vice-President" means the Vice-President of the Council.

Constitution of Council

3. As soon as may be after the commencement of this Act, the State Government shall, by notification in the *Official Gazette*, establish a body corporate with perpetual succession and a common seal named the Council of Acupuncture Therapy, West Bengal. The Council shall be entitled to acquire and hold movable and immovable property, to transfer such property, to contract and to do all things necessary for the purposes of this Act and shall by its name sue and be sued.

Composition of Council

4. (1) The Council shall consist of the following members:—

(a) a President nominated by the State Government;

(b) five members nominated by the State Government of whom three shall be registered Acupuncture practitioners;

(c) one member nominated by the University of Calcutta;

(d) one member nominated by the Jadavpur University;

(e) the Director of Dr. B. K. Basu Memorial Institute of Acupuncture Training and Research, *ex officio*;

(f) four members who are citizens of India, elected from such constituencies and in such manner as may be prescribed, by the registered Acupuncture practitioners from among themselves.

(2) Notwithstanding anything contained in the foregoing sub-section or elsewhere in this Act, on the first constitution of the Council all the members of the Council shall be nominated by the State Government, and the State Government shall also nominate one of the members to be the Vice-President.

The West Bengal Acupuncture System of Therapy Act, 1996.

(Sections 5-11.)

Power of State Government to nominate members in certain circumstances.

5. If the nominating authority referred to in clause (c) and clause (d) of sub-section (1) of section 4, or the electoral body referred to in clause (f) of the said sub-section, fails by the prescribed date to nominate or elect the requisite number of member or members which such authority or body is entitled to nominate or elect, the State Government shall fill up the office of such member or members by nomination of a person or persons qualified to be nominated or elected by such authority or body. Any person so nominated by the State Government shall be deemed to have been duly nominated or elected a member by such authority or body.

Disqualification for nomination or election.

6. A person shall be disqualified for being nominated or elected a member of the Council, if—

(1) he has been convicted of any offence involving moral turpitude;
(2) he is an undischarged insolvent;
(3) he has been adjudged by a competent court to be of unsound mind;
(4) he is an employee of the Council;
(5) he has directly or indirectly any share or interest in any contract with, by or on behalf of the Council;
(6) he has been dismissed from the service of the Central Government or a State Government or a local authority on a charge of gross misconduct or an offence involving moral turpitude;
(7) he is a person under the age of 25.

Publication of names of members.

7. The name of every member nominated or elected under section 4 or section 5 shall be published by the State Government in the *Official Gazette.*

Cessation of membership.

8. A person shall cease to be a member of the Council—

(1) if, without obtaining the permission of the Council, he is absent from three consecutive meetings of the Council; or
(2) if, having been nominated or elected as a registered Acupuncture practitioner, he ceases to be such a registered practitioner; or
(3) if he becomes subject to any of the disqualifications referred to in section 6.

Filling of casual vacancies

9. (1) If any member dies or resigns his office or ceases to be a member for any other reason, the vacancy shall be filled up within six months by a fresh nomination or election under section 4 or section 5, as the case may be, and the member so nominated or elected shall hold office for the unexpired period of the term of office of the member whose place he fills.

(2) If any member referred to in clause (b), clause (c), clause (d), clause (e) or clause (f) of sub-section (1) of section 4 is nominated President, there shall be a vacancy in that membership which shall be filled up under sub-section (1) of this section.

Term of office of members.

10. (1) Subject to the provisions of section 9, the term of office of the members nominated or elected under section 4 or section 5 shall be for four years commencing from the date of the first meeting of the Council after its first constitution or any subsequent periodical reconstitution, as the case may be.

(2) The term of four years referred to in sub-section (1) shall be held to include any period which may elapse between the expiry of the said period of four years and the date of the first meeting of the Council following its reconstitution at which a quorum is present.

Resignation.

11. The President, the Vice-President or a member may resign his office by writing under his hand addressed to the State Government, of which he shall send a copy to the Council.

The President

12. (1) The President shall hold office for the period mentioned in section 10 or until his successor is nominated, whichever is later.

(2) If the President dies or resigns his office or ceases to hold office, the State Government shall nominate another person as President and such President shall hold office for the unexpired portion of the term of office of the former President in whose place he is so nominated.

(3) In the event of the occurrence of any vacancy in the office of the President under sub-section (2), the Vice-President shall discharge the functions of the President until a new President is nominated.

(4) When the President is unable to discharge the duties of his office owing to absence, illness or any other cause, the Vice-President shall discharge the functions of the President until the date on which the President resumes his duties.

The Vice-President

13. (1) The members of the Council shall, at the first meeting after every periodical reconstitution of the Council, elect a Vice-President from among themselves in such manner as may be prescribed.

(2) The Vice-President shall hold office for the period mentioned in section 10:

Provided that a Vice-President shall cease to hold office if he ceases to be a member of the Council.

(3) If the Vice-President dies or resigns his office or ceases to hold office, the members of the Council shall elect from among themselves another Vice-President in such manner as may be prescribed, and such Vice-President shall hold office for the unexpired portion of the term of office of the former Vice-President whose office he fills.

Executive Committee

14. (1) The members of the Council shall constitute from among themselves an Executive Committee to perform such functions, discharge such duties and exercise such powers as may be delegated to it by the Council.

(2) The Executive Committee shall consist of the President and the Vice-President, *ex officio*, and three other members elected by the members of the Council in the prescribed manner from among themselves.

(3) The President and the Vice-President of the Council shall be the President and the Vice-President, respectively, of the Executive Committee.

(4) The term of office of an elected member of the Executive Committee shall be two years from the date of his election, but, subject to his being a member of the Council, he shall be eligible for re-election to the Executive Committee.

(5) No business shall be transacted at any meeting of the Executive Committee unless a quorum of three members be present.

(6) The Council may, subject to the approval of the State Government, appoint from time to time one or more Committee consisting of members of the Council or outsiders or both, on such terms as may be approved by the State Government, for the purpose of advising it on such matters as it deems necessary, and may appoint, for any such Committee, a Chairman who shall convene and preside over the meetings of the Committee.

Meetings.

15. (1) The Council shall hold its meetings at such intervals and at such places as may be provided by regulations.

(2) No business shall be transacted at any meeting of the Council unless a quorum of five members be present.

(3) Save as provided in clause (b) of sub-section (2) of section 21, all questions arising at any meeting shall be decided by votes of the majority of the members present and voting and, in the case of an equality of votes, by the casting vote of the President or, in his absence, of the member presiding at the meeting.

(Sections 16, 17.)

Powers of Council.

16. The Council shall have the following powers:—

(1) with the approval of the State Government, to establish institutions teaching the Acupuncture system of medicine and to grant or refuse affilitation to such institutions or to withdraw, after giving the authority of an institution an opportunity to show cause against the action proposed to be taken, such affiliation;

(2) to call on the authority of an institution affiliated to the Council or of an institution applying for affiliation to furnish, within such period as may be specified, such reports, returns or other information as the Council may require to judge the efficiency of the institution;

(3) to hold examinations for persons who shall have pursued a course of study in institutions affiliated to the Council, and to confer degrees, diplomas and certificates on them on having passed the necessary examinations;

(4) to provide by regulations courses of study for different examinations held by the Council;

(5) to provide for instructions or for refresher courses in such branches of medical science as would be useful to persons studying the Acupuncture system of therapy;

(6) to appoint examiners and to publish the results of the examinations held by it;

(7) to confer honorary degree on Acupuncture practitioners of extraordinary merit;

(8) to exercise general supervision over the residential and disciplinary arrangements made by the institutions affiliated to the Council and arrangements for promoting the health and general welfare of the students of such institutions;

(9) to recommend to the State Government the sanction of a grant to an affiliated institution teaching the Acupuncture system to therapy or the withdrawal or suspention, after giving the institution concerned an opportunity of showing cause against the action proposed, of any such grant;

(10) to appoint, on such terms as the Council may, with the previous sanction of the State Government, determine, such number of inspectors for the inspection of institutions teaching the Acupuncture system of therapy as the Council may deem fit;

(11) to advise the State Government in the matter of research in Acupuncture system of therapy;

(12) to perform such other functions as the State Government may direct or, on the recommendation of the Council, approve for carrying out the provisions of this Act.

Registrar and staff.

17. (1) The Director of the Dr. B. K. Basu Memorial Research and Training Institute of Acupuncture shall act as the Registrar of the Council in addition to his own duties. The officers and staff of the said Institute shall also function under the Registrar in addition to their own duties.

(2) The Registrar shall act as the Secretary to the Council and the Executive Committee.

The West Bengal Acupuncture System of Therapy Act, 1996.

(Sections 18-26.)

Registration of Acupuncture practitioners

18. (1) The Council shall maintain a Register of Acupuncture practitioners in such form as may be prescribed.

(2) The Registrar shall from time to time make necessary entries in the Register in respect of the persons whose names are to be registered, their qualifications and their addresses and may also from time to time make such alterations or modifications therein as may be required in consequence of any orders passed by the Council.

Persons entitled to be registered

19. Every person who possesses a qualification recognised by the Council shall, subject to the provisions of this Act, be entitled to have his name entered in the Register.

Application for registration

20. Every person who desires to have his name entered in the Register shall submit to the Registrar an application in the prescribed form stating—

(a) the particulars of his qualifications, and

(b) his address which shall be his registered address.

Power of Council to refuse registration or to remove name from Register in certain cases

21. (1) The Council may, on being satisfied that a person is qualified for registration under section 19, direct that his name be entered in the Register, and the Registrar shall thereupon make necessary entries in the Register and grant him a certificate of registration.

(2) The Council may refuse to permit the registration, or direct the removal from the Register, of the name of any person—

(a) who has been convicted of any offence involving moral turpitude; or

(b) who has been found guilty of infamous conduct in his professional capacity by a majority of at least two-thirds of the members of the Council after a due enquiry into his conduct at which he has had an opportunity of being heard in person or of being duly represented.

(3) Any refusal or removal under sub-section (2) may be rescinded if the conduct on the basis of which refusal or removal was directed is condoned for good and sufficient reasons.

Cancellation of fraudulent and incorrect entries

22. Any entry in the Register, which is proved to the satisfaction of the Council to have been fraudulently or incorrectly made, may be cancelled under an order in writing of the Council.

Appeal

23. An appeal shall lie to the State Government against any decision or order of the Council refusing to enter the name of a person in the Register or removing his name from the Register, if filed within three months of the date of decision or order, and the decision of the State Government shall be final.

Notice of death and removal of name from Register

24. The Council may, on receipt of reliable information regarding the death of a person whose name is entered in the Register, and on making such enquiry as it may think fit, direct the removal of his name from the Register and thereupon the Registrar shall cancel the entry relating to such person.

Penalty on unregistered person representing that he is registered

25. If any person, whose name is not entered in the Register, falsely pretends that it is so entered or uses, in connection with his name, any words or letters representing that his name is so entered, he shall, whether any person is actually deceived by such representation or not, be punishable, on conviction by a Metropolitan Magistrate or a Magistrate of the First Class having jurisdiction, with imprisonment which may extend to six months or with fine which may extend to five hundred rupees.

Penalty for failure to surrender certificate of registration

26. (1) If any person, whose name has been removed from the Register under sub-section (2) of section 21, fails, without sufficient cause, forthwith to surrender his certificate of registration, he shall be punishable with fine which may extent to fifty rupees.

(2) No cognizance of an offence punishable under this section shall be taken except upon complaint made by an order of the Council.

Prohibition of unauthorised conferment of degree, diploma, etc. and penalty for such conferment

27. (1) Except the Council, no person, association or institition, not recognised by the Council, shall confer, grant or issue, or hold himself or itself out as entitled to confer, grant or issue, any degree, diploma, licence, certificate or any other document stating or implying that the holder, grantee or recepient thereof is qualified to practise the Acupuncture system of therapy.

(2) Any contravention of the provisions of sub-section (1) shall be punishable with imprisonment which may extend to one year or with fine which may extend to one thousand rupees or with both; and if an association or institution is guilty of such contravention, every member thereof, who knowingly or wilfully authorises or permits the contravention, shall be punishable with imprisonment which may extend to one year or with fine which may extend to one thousand rupees or with both.

Penalty for improper assumption of Acupuncture qualifications

28. (1) No person shall use any letters or figures after his name indicting or implying that he possesses any degree, diploma, licence, or certificate as an Acupuncture practitioner unless such degree, diploma, licence or certificate has been conferred by the Council, or is recognised by it with the approval of the State Government.

(2) Whoever contravenes the provisions of sub-section (1) shall be punishable, on first conviction, with fine which may extend to two hundred rupees, and, on any subsequent conviction, with fine which may extend to five hundred rupees.

Publication and use of registration list.

29. (1) The Registrar shall, from time to time as occasion may require, on or before the date to be fixed in this behalf by the Council, cause to be printed and published (provided that at least twelve months shall have elapsed from the date of the last publication) a correct list of the names for the time being entered in the Register setting forth therein—

(a) names of all registered Acupuncture practitioners arranged in alphabetical order according to surname;

(b) the registered address of each such person; and

(c) the registered qualifications of each such person and the date on which each qualification was obtained.

(2) The Registrar shall, from time to time as occasion arises, cause to be printed and published a list supplementary thereto, containing additions and alterations in the Register since the publication of the list under sub-section (1).

(3) Every court shall presume that any person whose name is entered in the latest list printed and published under sub-section (1), read with the latest list supplementary thereto, if any, printed and published under sub-section (2), is duly registered under this Act, and that any person whose name is not so entered is not registered under this Act:

Provided that in the case of any person whose name does not appear in the latest list printed and published under sub-section (1), read with the latest list supplementary thereto, if any, printed and published under sub-section (2), a certified copy of the entry of the name of such person in the Register, signed by the Registrar, shall be evidence that such person is registered under this Act.

Acupuncture practitioners, other than those registered under the Act, not eligible for certain appointments.

30. Except with the special sanction of the State Government, no Acupuncture practitioner, other than a registered Acupuncture practitioner whose name is entered in the Register, shall be competent to hold any appointment as a medical officer or teacher in any Acupuncture hospital, asylum, infirmary, dispensary or lying-in-hospital set up under any law for the time being in force or in any Acupuncture educational institution which is recognised by the Council.

The West Bengal Acupuncture System of Therapy Act, 1996.

(Sections 31-37.)

Control of manufacture, storage and sale of Acupuncture instruments

31. Subject to the provisions of any law for the time being in force relating to instruments, the State Government shall have the power to regulate and control manufacture, storage or sale of Acupuncture instruments by the grant of licences to manufacturers, stockists and sellers on such conditions as may be prescribed.

Bar of suit or other legal proceedings.

32. No suit, prosecution or other legal proceedings shall lie in respect of any act or thing done or omitted to be done in the exercise or purported exercise of any power conferred by or under this Act on the State Government or the Council or the Executive Committee or any Committee appointed by the Council or on the Registrar.

Validation

33. No act or thing done by the Council, the Executive Committee or a Committee appointed by the Council shall be invalid merely on the ground of any vacancy in or defect in the composition of, the Council, the Executive Committee or such Committee.

Power to make rules

34. (1) The State Government may, from time to time, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters:—

(i) the election of members of the Council and the Executive Committee, and the election of the Vice-President;

(ii) the functions to be performed by the President and the Vice-President;

(iii) the conditions for the grant of licences under section 31;

(iv) the procedure to be followed by the Council in—

(a) conducting an enquiry under clause (b) of sub-section (2) of section 21;

(b) disposing of appeals from the decision of the Registrar preferred under section 23;

(v) any other matter which may be, or is required to be, prescribed under this Act.

Power to make regulations

35. (1) The Council may, with the previous approval of the State Government, make regulations, not inconsistent with the provisions of this Act or the rules made thereunder, for discharging its functions under this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters:—

(i) the conduct of business of the Executive Committee and of Committee appointed by the Council;

(ii) the time and place at which each meeting shall be held;

(iii) the issue of notices convening such meeting;

(iv) the conduct of business thereat;

(v) any matter for which power to make regulations is conferred expressly or by implication on the Council by this Act.

Publication of rules and regulations.

36. All rules and regulations shall be published in the *Official Gazette.*

Control on Council by State Government.

37. If, at any time, it appears to the State Government that the Council has failed to exercise or has exceeded or abused a power conferred upon it by or under this Act or has failed to perform a duty imposed upon it by this Act, the State Government

The West Bengal Acupuncture System of Therapy Act, 1996.

(Section 37.)

may, if it considers such failure, excess or abuse to be of a serious character, after giving the Council an opportunity of being heard, notify the particulars thereof to the Council, and if the Council fails to remedy such failure, excess or abuse within such time as may be fixed by the State Government in this behalf, the State Government may dissolve the Council and cause all or any of the powers and duties of the Council to be exercised and performed by such agency and for such period as it may think fit.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-21

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 21] TUESDAY, JUNE 11, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 990-L.—11th June, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 16 of 1996

THE APOLLO ZIPPER COMPANY (PRIVATE) LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) BILL, 1996.

A BILL

to provide for the acquisition and transfer, in the public interest, of the undertakings of the Apollo Zipper Company (Private) Limited, and for matters connected therewith or incidental thereto.

WHEREAS the Apollo Zipper Company (Private) Limited had been engaged in the manufacture of zip-fastener;

AND WHEREAS the management of the undertakings of the Apollo Zipper Company (Private) Limited had been conducted in a manner highly detrimental to the public interest;

AND WHEREAS the management of the undertakings of the Apollo Zipper Company (Private) Limited was taken over by the Central Government under section 18A of the Industries (Development and Regulation) Act, 1951, on and from the 26th day of May, 1979;

AND WHEREAS the period of the taking over of the management of the Company expired on the 31st day of March, 1996; 65 of 1951.

AND WHEREAS for the purpose of reconstructing and rehabilitating the undertakings of the Apollo Zipper Company (Private) Limited so as to subserve the interest of the

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses 1-4.)

general public by augmentation of production and distribution of the aforesaid articles which are essential to the needs of the general public, it is necessary to acquire the undertakings of the Company;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(2) It shall be deemed to have come into force on the 1st day of April, 1996.

Definitions

2. In this Act, unless the context otherwise requires,—

(a) "appointed day" means the date on which this Act comes into force;

(b) "Commissioner" means the Commissioner of Payments appointed under section 9;

(c) "Company" means the Apollo Zipper Company (Private) Limited, being a company as defined in the Companies Act, 1956, and having its registered office at 20B, British Indian Street, Calcutta; 1 of 1956.

(d) "date of taking over of management of the undertakings of the Company" means the 26th day of May, 1979;

(e) "existing Government company" means a Government company which is carrying on business on the appointed day;

(f) "new Government company" means a Government company formed and registered on or after the appointed day;

(g) "notification" means a notification published in the *Official Gazette*;

(h) "prescribed" means prescribed by rules made under this Act;

(i) words and expressions used herein and not defined, but defined in the Companies Act, 1956, have the meanings respectively assigned to them in that Act.

Transfer to, and vesting in, State Government of the undertakings of the Company.

3. On the appointed day, the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings, shall, by virtue of this Act, stand transferred to, and vest in, the State Government.

General effect of vesting

4. (1) The undertakings of the Company shall be deemed to include all assets, rights, lease-holds, powers, authorities and privileges, and all property, movable and immovable, including lands, buildings, offices, factories, workshops, stores, instruments, plants, machinery and equipment, installations, laboratories, office furniture, stationery and equipment, vehicles, patents, trade marks, cash balances, cash in hand, reserve funds, investments, book debts and all other rights and interests in, or arising out of, such property as were immediately before the appointed day in the ownership, possession, power or control of the Company, whether within or outside India, and all books of accounts, registers and all other documents of whatever nature relating thereto.

(2) All properties and assets as aforesaid which have vested in the State Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charges, liens and all other encumbrances affecting them, and any attachment, injunction, decree or order of any court or other authority restricting the use of such properties or assets in any manner or appointing any receiver in respect of the whole or any part of such properties or assets shall be deemed to have been withdrawn.

(3) Every mortgagee of any property which has vested under this Act in the State Government and every person holding any charge, lien or other interest in, or in relation to, any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clause 5.)

(4) For the removal of doubts, it is hereby declared that the mortgagee of any porperty referred to in sub-section (3) or any other person holding any charge, lien or other interest in, or in relation to, any such property shall be entitled to claim, in accordance with his rights and interests, payment of the mortgage money or other dues, in whole or in part, out of the amount of compensation determined under sub-section (1), and also out of the amount determined under sub-section (2), of section 7, but, no such mortgage, charge, lien or other interests shall be enforceable against any property which has vested in the State Government.

(5) Any licence or other instrument granted to the Company in relation to any undertaking which has vested in the State Government under section 3 at any time before the appointed day and in force immediately before the appointed day shall continue to be in force on and after such day in accordance with its tenor in relation to and for the purpose of such undertaking, and, on and from the date of vesting of such undertaking, under section 6, in an existing Government company, or under section 7, in a new Government company, the existing or the new Government company, as the case may be, shall be deemed to be substituted in such licence or other instrument as if such licence or other instrument had been granted to such existing or new Government company and such existing or new Government company shall hold it for the remainder of the period for which the Company would have held it under the terms thereof.

(6) If, on the appointed day, any suit, appeal or other proceeding of whatever nature, in relation to any property or asset which has vested in the State Government under section 3, instituted or preferred by or against the Company, is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertakings of the Company or of anything contained in this Act, but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, by or against such Government company.

Central Government or State Government or existing or new Government company not to be liable for certain prior liabilities.

5. (1) Every liability, other than the liability specified in sub-section (2), of the Company in respect of any period prior to the appointed day shall be the liability of the Company and shall be enforceable against it and not against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

(2) Any liability arising in respect of—

(a) loans advanced by the Central Government or the State Government, or both, to the Company (together with interest due thereon), on or after the date of taking over of management of the undertakings of the Company,

(b) loans advanced by a bank to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(c) loans advanced by the Industrial Reconstruction Bank of India Limited to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(d) wages, salaries and other dues of employees of the Company and dues on account of any deductions made from wages and salaries and other dues of such employees relating to any period commencing on and from the date of taking over of management of the undertakings of the Company, or

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clause 6.)

(e) any debt incurred by the Company during any period commencing on and from the date of taking over of management of the undertakings of the Company, not being a debt falling under clause (a), clause (b), clause (c) or clause (d),

shall, on and from the appointed day, be the liability of the State Government or the Government company as aforesaid and shall be discharged by the State Government or the existing Government company or the new Government company as aforesaid as and when repayment of such loans becomes due or such wages, salaries and other dues or debt become due and payable.

(3) For the removal of doubts, it is hereby declared that—

(a) save as otherwise expressly provided in this Act, no liability of the Company in relation to its undertakings in respect of any period prior to the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(b) no award, decree or order of any court, tribunal or other authority in relation to the undertakings of the Company passed on or after the appointed day, in respect of any matter, claim or dispute, which arose before the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(c) no liability incurred by the Company before the appointed day for the contravention of any provision of any law for the time being in force shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

Power of State Government to direct vesting of the undertakings of the Company in an existing Government company

6. (1) Notwithstanding anything contained in sections 3 and 4, the State Government may, if it is satisfied that an existing Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that existing Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in an existing Government company, that Government company shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the rights and liabilities, respectively, of that existing Government company.

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses 7-10.)

Power of State Government to direct vesting of the undertakings of the Company in a new Government company

7. (1) Notwithstanding anything contained in sections 3, 4 and 6, the State Government may, if it is satisfied that a new Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that new Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the date of registration of the new Government company) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in a new Government company, that new Government company shall, on and from the date of such vesting, be deemed to have become the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, respectively, of that new Government company.

Payment of amount

8. (1) For the transfer to, and vesting in, the State Government, under section 3, of the undertakings of the Company and the right, title and interest of the Company in relation to its undertakings, there shall be given by the State Government to the Company in cash, as a one-time settlement, a sum of rupees eight lakhs and twenty one thousand within such time as the State Government may by notification specify.

(2) For the avoidance of doubts, it is hereby declared that the liabilities of the Company in relation to the undertakings which have vested in the State Government under section 3, shall be met from the amount specified in sub-section (1).

(3) For the deprivation of the Company of the management of its undertakings, there shall be given to the Company by the State Government an amount of rupees one hundred and thirty two.

(4) Every person having a claim against the Company shall prefer such claim before the Commissioner of Payments appointed under section 9 within such period as the State Government may by notification specify. The procedure of disposing the claim shall be such as may be prescribed.

(5) Notwithstanding anything contained elsewhere in this Act,—

(a) any amount payable to any bank or financial institution towards repayment of the principal amount of any secured loans advanced by such bank or financial institution to the Company before the date of taking over of management of the undertakings of the Company, shall be paid directly by the State Government to such bank or financial institution in accordance with such agreement, in writing, as the State Government and the bank or the financial institution may enter into with each other; and

(b) the amount payable by the State Government directly to any bank or financial institution under clause (a) shall be deducted from the amount payable to the Company under this section.

Appointment of Commissioner of Payments

9. (1) The State Government shall, for the purpose of disbursing the amounts payable under section 8, by notification, appoint a Commissioner of Payments.

(2) The salary and allowances of the Commissioner appointed under this section shall be defrayed out of the Consolidated Fund of the State.

Management, etc., of the undertakings of the Company.

10. (1) The general superintendence, direction, control and management of the affairs and business of the undertakings of the Company, the right, title and interest in relation to which have vested in the State Government under section 3, shall,—

(a) where a direction has been given by the State Government under sub-section (1) of section 6, vest, on and from the date specified in such direction, in the existing Government company specified therein, or

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clause 11.)

(b) where a direction has been given by the State Government under sub-section (1) of section 7, vest, on and from the date specified in such direction, in the new Government company specified therein, or

(c) where no direction referred to in clause (a) or clause (b) has been given, vest in one or more Custodians appointed by the State Government under sub-section (2),

and thereupon the existing, or new, Government company so specified or the Custodian or Custodians so appointed, as the case may be, shall be entitled to exercise, to the exclusion of all other persons, all such powers and do all such things as the Company is authorised to exercise and do in relation to its undertakings.

(2) The State Government may appoint one or more individuals or a Government company as the Custodian or Custodians of the undertakings of the Company in relation to which no direction has been given by it under sub-section (1) of section 6 or sub-section (1) of section 7.

(3) The Custodian or Custodians so appointed shall receive from the funds of the undertakings of the Company such remuneration as the State Government may fix and hold office during the pleasure of the State Government.

Duty of person in charge of management of the undertakings of the Company to deliver all assets, etc

11. (1) On the vesting of the management of the undertakings of the Company in an existing, or new, Government company or on the appointment of a Custodian or Custodians, all persons in charge of the management of the undertakings of the Company immediately before such vesting or appointment shall be bound to deliver to such Government company, or Custodian or Custodians, as the case may be, all assets, books of account, registers and other documents in their custody relating to the undertakings of such Company.

(2) The State Government may issue such directions as it may deem desirable in the circumstances of the case to the existing, or new, Government company or the Custodian or Custodians as to the power and duties of such Government company or Custodian or Custodians, and such Government company or Custodian or Custodians may also, if it is considered necessary so to do, apply to the State Government at any time for instructions as to the manner in which the management of the undertakings of the Company shall be conducted or in relation to any other matter arising in the course of such management.

(3) Any person, who on the appointed day has in his possession or under his control any books, documents or other papers relating to the undertakings of the Company which have vested in the State Government or in any existing, or new, Government company and which belong to the Company, or would have so belonged if the undertakings of the Company had not vested in the State Government or the existing, or new, Government company, shall be liable to account for the said books, documents or other papers to the State Government or the existing, or new, Government company, as the case may be, and shall deliver them up to the State Government or the existing, or new, Government company, or to such person or body of persons as the State Government or such Government company may specify in this behalf.

(4) The State Government or the existing, or new, Government company may take, or cause to be taken, all necessary steps for securing possession of all undertakings which have vested in the State Government or the existing, or new, Government company under this Act.

(5) The Company shall, within such period as the State Government may allow in this behalf, furnish to that Government a complete inventory of all its properties and assets, as on the appointed day, pertaining to the undertakings which have vested in the State Government under section 3, and, for this purpose, the State Government or the existing, or new, Government company shall afford to the Company all reasonable facilities.

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses 12-16.)

Accounts and audit

12. The Custodian or Custodians of the undertakings of the Company shall maintain an account of the undertakings of the Company in such form and under such conditions as may be prescribed and the provisions of the Companies Act, 1956 shall apply to the audit of the accounts so maintained as they apply to the audit of the accounts of a company. 1 of 1956.

Employment of certain employees to continue

13. (1) Every person who has been, immediately before the appointed day, employed in any of the undertakings of the Company shall become,—

(a) on and from the appointed day, an employee of the State Government, and

(b) where the undertakings of the Company are directed to vest, under sub-section (1) of section 6, in an existing Government company, or under sub-section (1) of section 7, in a new Government company, an employee of such Government company on and from the date of such vesting,

and shall hold office or service under the State Government or the existing, or new, Government company, as the case may be, with the same rights and privileges as to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting or transfer and shall continue to do so unless and until his employment under the State Government or the existing, or new, Government company, as the case may be, is duly terminated or until his remuneration and other conditions of service are duly altered by the State Government or the existing, or new, Government company, as the case may be.

Act to have overriding effect.

14. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act, or in any decree or order of any court, tribunal or other authority.

Protection of action taken in good faith

15. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer of that Government or the Custodian of the undertakings of the Company or the existing, or new, Government company or any officer or other person authorised by that Government or existing, or new, Government company for anything which is in good faith done or intended to be done under this Act.

Power to make rules.

16. (1) The State Government may, by notification, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which under any provision of this Act, are required to be prescribed or to be provided for by rules.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be, after it is made, before the State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modifications in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses 17, 18.)

Power to remove difficulties

17. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of coming into force of this Act.

Repeal and saving

18. (1) The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996, is hereby repealed. West Ben Ord. V of 1996.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

Apollo Ziper Company (Private) Limited, being a Company as defined in the Companies Act, 1956 (1 of 1956) and having its registered office at 20B, British Indian Street, Calcutta-700 069, was engaged in the manufacture of zip-fastener, for the general public. Because of general decline and stagnation of the commercial activity of the Company and also because of mismanagement, the management of the Company was taken over by the Central Government under section 18A of the Industries (Development and Regulation) Act, 1951 (65 of 1951), on and from the 26th day of May, 1979, and the State Government was duly authorised by the Central Government to manage the affairs of the Company. The period of take-over of the management of the Company was also due to expire on the 31st day of March, 1996. It was considered necessary to acquire the undertakings of the Company for the purpose of reconstructing and rehabilitating it so as to subserve the interests of the general public by augmentation of production and distribution of products which are essential to the needs of the general public.

2. As the Legislative Assembly of the State was not in session and as in the public interest it was necessary to take action before the take-over period of management of the Company expired, an Ordinance, namely, the Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996 (West Bengal Ordinance No. VI of 1996), was promulgated to achieve the object.

3. The Bill seeks to continue the provisions of the Ordinance as aforesaid.

CALCUTTA,
The 11th June, 1996.

MRINAL BANERJEE,
Member-in-charge.

FINANCIAL MEMORANDAM.

Clause 3 of the Bill provides for the acquisition of the undertakings of Apollo Zipper Company (Private) Limited by the State Government. Sub-clause (1) of clause 8 of the Bill provides for the payment, in cash, of an amount of Rs. 8.21 lakhs only for vesting, in the State Government, of the undertakings of the Company and the right, title and interest of the Company in relation to its undertakings.

2. Sub-clause (3) of clause 8 of the Bill provides for the payment of a further amount, in cash, of Rs. 132 only in consideration of the deprivation of the Company of the management of its undertakings.

3. Clause 9 of the Bill provides for the appointment of a Commissioner of Payments by the State Government with adequate staff to assist him for the purpose of disbursing the amount payable to the Company. The salary and allowances of the Commissioner of Payments and his staff and the expenditure on office and establishment will be defrayed out of the Consolidated Fund of the State. The estimated expenditure on this account is likely to be of the order of Rs. 5,000 per month.

4. Sub-clause (2) of clause 5 of the Bill provides for assumption by the State Government or the existing or the new Government company of all liabilities arising on or after the date of taking over of the management of the undertakings of the Company under the Industries (Development and Regulation) Act, 1951. The amount is likely to be of the order of Rs. 70,000 only based on provisional balance sheet figure. As per the Government of India guidelines, the amount as aforesaid should be fully protected.

5. Modernisation or diversification activities will be undertaken with the co-operation of banks and other financial institutions.

6. The Bill is not likely to involve any other recurring or non-recurring expenditure.

CALCUTTA,
The 11th June, 1996.

MRINAL BANERJEE
Member-in-charge.

By order of the Governor.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056.

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-19

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 21] TUESDAY, JUNE 11, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 991-L.—11th June, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 17 of 1996

THE LILY BISCUIT COMPANY (PRIVATE) LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) BILL, 1996.

A
BILL

to provide for the acquisition and transfer, in the public interest, of the undertakings of the Lily Biscuit Company (Private) Limited, and for matters connected therewith or incidental thereto.

WHEREAS the Lily Biscuit Company (Private) Limited had been engaged in the manufacture of biscuits and confectionery;

AND WHEREAS the management of the undertakings of the Lily Biscuit Company (Private) Limited had been conducted in a manner highly detrimental to the public interest;

AND WHEREAS the management of the undertakings of the Lily Biscuit Company (Private) Limited was taken over by the Central Government under section 18A of the Industries (Development and Regulation) Act, 1951, on and from the 27th day of March, 1979; 65 of 1951.

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses 1-4.)

AND WHEREAS the period of the taking over of the management of the Company expired on the 26th day of March, 1996;

AND WHEREAS for the purpose of reconstructing and rehabilitating the undertakings of the Lily Biscuit Company (Private) Limited so as to subserve the interest of the general public by augmentation of production and distribution of the aforesaid articles which are essential to the needs of the general public, it is necessary to acquire the undertakings of the Company;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(2) It shall be deemed to have come into force on the 27th day of March, 1996.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "appointed day" means the date on which this Act comes into force;

(b) "Commissioner" means the Commissioner of Payments appointed under section 9;

(c) "Company" means the Lily Biscuit Company (Private) Limited, being a company as defined in the Companies Act, 1956, and having its registered office at 3, Rama Kanta Sen Lane, Calcutta-700 067; 1 of 1956.

(d) "date of taking over of management of the undertakings of the Company" means the 27th day of March, 1979;

(e) "existing Government company" means a Government company which is carrying on business on the appointed day;

(f) "new Government company" means a Government company formed and registered on or after the appointed day;

(g) "notification" means a notification published in the *Official Gazette;*

(h) "prescribed" means prescribed by rules made under this Act;

(i) words and expressions used herein and not defined, but defined in the Companies Act, 1956, have the meanings respectively assigned to them in that Act.

Transfer to, and vesting in, State Government of the undertakings of the Company.

3. On the appointed day, the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings, shall, by virtue of this Act, stand transferred to, and vest in, the State Government.

General effect of vesting.

4. (1) The undertakings of the Company shall be deemed to include all assets, rights, lease-holds, powers, authorities and privileges, and all property, movable and immovable, including lands, buildings, offices, factories, workshops, stores, instruments, plants, machinery and equipment, installations, laboratories, office furniture, stationery and equipment, vehicles, patents, trade marks, cash balances, cash in hand, reserve funds, investments, book debts and all other rights and interests in, or arising out of, such property as were immediately before the appointed day in the ownership, possession, power or control of the Company, whether within or outside India, and all books of accounts, registers and all other documents of whatever nature relating thereto.

(2) All properties and assets as aforesaid which have vested in the State Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charges, liens and all other encumbrances affecting them, and any attachment, injunction, decree or order of any court or other authority restricting the use of such properties or assets in any manner or appointing any receiver in respect of the whole or any part of such properties or assets shall be deemed to have been withdrawn.

(3) Every mortgagee of any property which has vested under this Act in the State Government and every person holding any charge, lien or other interest in, or in relation to, any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clause 5.)

(4) For the removal of doubts, it is hereby declared that the mortgagee of any property referred to in sub-section (3) or any other person holding any charge, lien or other interest in, or in relation to, any such property shall be entitled to claim, in accordance with his rights and interests, payment of the mortgage money or other dues, in whole or in part, out of the amount of compensation determined under sub-section (1), and also out of the amount determined under sub-section (2), of section 7, but, no such mortgage, charge, lien or other interests shall be enforceable against any property which has vested in the State Government.

(5) Any licence or other instrument granted to the Company in relation to any undertaking which has vested in the State Government under section 3 at any time before the appointed day and in force immediately before the appointed day shall continue to be in force on and after such day in accordance with its tenor in relation to and for the purpose of such undertaking, and, on and from the date of vesting of such undertaking, under section 6, in an existing Government company, or under section 7, in a new Government company, the existing or the new Government company, as the case may be, shall be deemed to be substituted in such licence or other instrument as if such licence or other instrument had been granted to such existing or new Government company and such existing or new Government company shall hold it for the remainder of the period for which the Company would have held it under the terms thereof.

(6) If, on the appointed day, any suit, appeal or other proceeding of whatever nature, in relation to any property or asset which has vested in the State Government under section 3, instituted or preferred by or against the Company, is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertakings of the Company or of anything contained in this Act, but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, by or against such Government company.

Central Government or State Government or existing or new Government company not to be liable for certain prior liabilities.

5. (1) Every liability, other than the liability specified in sub-section (2), of the Company in respect of any period prior to the appointed day shall be the liability of the Company and shall be enforceable against it and not against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

(2) Any liability arising in respect of—

(a) loans advanced by the Central Government or the State Government, or both, to the Company (together with interest due thereon), on or after the date of taking over of management of the undertakings of the Company,

(b) loans advanced by a bank to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(c) loans advanced by the Industrial Reconstruction Bank of India Limited to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(d) wages, salaries and other dues of employees of the Company and dues on account of any deductions made from wages and salaries and other dues of such employees relating to any period commencing on and from the date of taking over of management of the undertakings of the Company, or

(e) any debt incurred by the Company during any period commencing on and from the date of taking over of management of the undertakings of the Company, not being a debt falling under clause (a), clause (b), clause (c) or clause (d),

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses 6, 7.)

shall, on and from the appointed day, be the liability of the State Government or the Government company as aforesaid and shall be discharged by the State Government or the existing Government company or the new Government company as aforesaid as and when repayment of such loans becomes due or such wages, salaries and other dues or debt become due and payable.

(3) For the removal of doubts, it is hereby declared that—

(a) save as otherwise expressly provided in this Act, no liability of the Company in relation to its undertakings in respect of any period prior to the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(b) no award, decree or order of any court, tribunal or other authority in relation to the undertakings of the Company passed on or after the appointed day, in respect of any matter, claim or dispute, which arose before the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(c) no liability incurred by the Company before the appointed day for the contravention of any provision of any law for the time being in force shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

Power of State Government to direct vesting of the undertakings of the Company in an existing Government company.

6. (1) Notwithstanding anything contained in sections 3 and 4, the State Government may, if it is satisfied that an existing Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that existing Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in an existing Government company, that Government company shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the rights and liabilities, respectively, of that existing Government company.

Power of State Government to direct vesting of the undertakings of the Company in a new Government company.

7. (1) Notwithstanding anything contained in sections 3, 4 and 6, the State Government may, if it is satisfied that a new Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that new Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the date of registration of the new Government company) as may be specified in the notification.

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses 8-10.)

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in a new Government company, that new Government company shall, on and from the date of such vesting, be deemed to have become the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, respectively, of that new Government company.

Payment of amount.

8. (1) For the transfer to, and vesting in, the State Government, under section 3, of the undertakings of the Company and the right, title and interest of the Company in relation to its undertakings, there shall be given by the State Government to the Company in cash, as a one-time settlement, a sum of rupees one crore forty-seven lakhs and fifty-three thousand within such time as the State Government may by notification specify.

(2) For the avoidance of doubts, it is hereby declared that the liabilities of the Company in relation to the undertakings which have vested in the State Government under section 3, shall be met from the amount specified in sub-section (1).

(3) For the deprivation of the Company of the management of its undertakings, there shall be given to the Company by the State Government an amount of rupees two thousand one hundred and seventy-five.

(4) Every person having a claim against the Company shall prefer such claim before the Commissioner of Payments appointed under section 9 within such period as the State Government may by notification specify. The procedure of disposing the claim shall be such as may be prescribed.

(5) Notwithstanding anything contained elsewhere in this Act,—

(a) any amount payable to any bank or financial institution towards repayment of the principal amount of any secured loans advanced by such bank or financial institution to the Company before the date of taking over of management of the undertakings of the Company, shall be paid directly by the State Government to such bank or financial institution in accordance with such agreement, in writing, as the State Government and the bank or the financial institution may enter into with each other; and

(b) the amount payable by the State Government directly to any bank or financial institution under clause (a) shall be deducted from the amount payable to the Company under this section.

Appointment of Commissioner of Payments.

9. (1) The State Government shall, for the purpose of disbursing the amounts payable under section 8, by notification, appoint a Commissioner of Payments.

(2) The salary and allowances of the Commissioner appointed under this section shall be defrayed out of the Consolidated Fund of the State.

Management, etc., of the undertakings of the Company.

10. (1) The general superintendence, direction, control and management of the affairs and business of the undertakings of the Company, the right, title and interest in relation to which have vested in the State Government under section 3, shall,—

(a) where a direction has been given by the State Government under sub-section (1) of section 6, vest, on and from the date specified in such direction, in the existing Government company specified therein, or

(b) where a direction has been given by the State Government under sub-section (1) of section 7, vest, on and from the date specified in such direction, in the new Government company specified therein, or

(c) where no direction referred to in clause (a) or clause (b) has been given, vest in one or more Custodians appointed by the State Government under sub-section (2),

and thereupon the existing, or new, Government company so specified or the Custodian or Custodians so appointed, as the case may be, shall be entitled to exercise, to the exclusion of all other persons, all such powers and do all such things as the Company is authorised to exercise and do in relation to its undertakings.

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses 11-13.)

(2) The State Government may appoint one or more individuals or a Government company as the Custodian or Custodians of the undertakings of the Company in relation to which no direction has been given by it under sub-section (1) of section 6 or sub-section (1) of section 7.

(3) The Custodian or Custodians so appointed shall receive from the funds of the undertakings of the Company such remuneration as the State Government may fix and hold office during the pleasure of the State Government.

Duty of person in charge of management of the undertakings of the Company to deliver all assets, etc.

11. (1) On the vesting of the management of the undertakings of the Company in an existing, or new, Government company or on the appointment of a Custodian or Custodians, all persons in charge of the management of the undertakings of the Company immediately before such vesting or appointment shall be bound to deliver to such Government company, or Custodian or Custodians, as the case may be, all assets, books of account, registers and other documents in their custody relating to the undertakings of such Company.

(2) The State Government may issue such directions as it may deem desirable in the circumstances of the case to the existing, or new, Government company or the Custodian or Custodians as to the power and duties of such Government company or Custodian or Custodians, and such Government company or Custodian or Custodians may also, if it is considered necessary so to do, apply to the State Government at any time for instructions as to the manner in which the management of the undertakings of the Company shall be conducted or in relation to any other matter arising in the course of such management.

(3) Any person, who on the appointed day has in his possession or under his control any books, documents or other papers relating to the undertakings of the Company which have vested in the State Government or in any existing, or new, Government company and which belong to the Company, or would have so belonged if the undertakings of the Company had not vested in the State Government or the existing, or new, Government company, shall be liable to account for the said books, documents or other papers to the State Government or the existing, or new, Government company, as the case may be, and shall deliver them up to the State Government or the existing, or new, Government company, or to such person or body of persons as the State Government or such Government company may specify in this behalf.

(4) The State Government or the existing, or new, Government company may take, or cause to be taken, all necessary steps for securing possession of all undertakings which have vested in the State Government or the existing, or new, Government company under this Act.

(5) The Company shall, within such period as the State Government may allow in this behalf, furnish to that Government a complete inventory of all its properties and assets, as on the appointed day, pertaining to the undertakings which have vested in the State Government under section 3, and, for this purpose, the State Government or the existing, or new, Government company shall afford to the Company all reasonable facilities.

Accounts and audit.

12. The Custodian or Custodians of the undertakings of the Company shall maintain an account of the undertakings of the Company in such form and under such conditions as may be prescribed and the provisions of the Companies Act, 1956 shall apply to the audit of the accounts so maintained as they apply to the audit of the accounts of a company. 1 of 1956.

Employment of certain employees to continue.

13. (1) Every person who has been, immediately before the appointed day, employed in any of the undertakings of the Company shall become,—

(a) on and from the appointed day, an employee of the State Government, and

(b) where the undertakings of the Company are directed to vest, under sub-section (1) of section 6, in an existing Government company, or under sub-section (1) of section 7, in a new Government company, an employee of such Government company on and from the date of such vesting,

and shall hold office or service under the State Government or the existing, or new, Government company, as the case may be, with the same rights and privileges as to

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses 14-18.)

pension, gratuity and other matters as would have been admissible to him if there had been no such vesting or transfer and shall continue to do so unless and until his employment under the State Government or the existing, or new, Government company, as the case may be, is duly terminated or until his remuneration and other conditions of service are duly altered by the State Government or the existing, or new, Government company, as the case may be.

Act to have overriding effect.

14. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act, or in any decree or order of any court, tribunal or other authority.

Protection of action taken in good faith.

15. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer of that Government or the Custodian of the undertakings of the Company or the existing, or new, Government company or any officer or other person authorised by that Government or existing, or new, Government company for anything which is in good faith done or intended to be done under this Act.

Power to make rules.

16. (1) The State Government may, by notification, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which under any provision of this Act, are required to be prescribed or to be provided for by rules.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be, after it is made, before the State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modifications in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to remove difficulties.

17. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of coming into force of this Act.

Repeal and saving.

18. (1) The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996, is hereby repealed. *West Ben. Ord. VI of 1996.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

Lily Biscuit Company (Private) Limited, being a Company as defined in the Companies Act, 1956 (1 of 1956) and having its registered office at 3, Ramakanta Sen Lane, Calcutta-700 067, was engaged in the manufacture of biscuits and confectionery for the general public. Because of general decline and stagnation of the commercial activity of the Company and also because of mismanagement, the management of the Company was taken over by the Central Government under section 18A of the Industries (Development and Regulation) Act, 1951 (65 of 1951), on and from the 27th day of March, 1979, and the State Government was duly authorised by the Central Government to manage the affairs of the Company. The maximum period of take-over of the management of the Company was due to expire on the 26th day of March, 1996. It was, therefore, considered

necessary to acquire the undertakings of the Company for the purpose of reconstructing and rehabilitating it so as to subserve the interests of the general public by augmentation of production and distribution of products which are essential to the needs of the general public.

2. As the Legislative Assembly of the State was not in session and as in the public interest it was necessary to take action before the take-over period of management of the Company expired, an Ordinance, namely, the Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996 (West Bengal Ordinance No. VI of 1996), was promulgated to achieve the object.

3. The Bill seeks to continue the provisions of the Ordinance as aforesaid.

CALCUTTA,
The 11th June, 1996.

MRINAL BANERJEE,
Member-in-charge.

FINANCIAL MEMORANDUM.

Clause 3 of the Bill provides for the acquisition of the undertakings of the Lily Biscuit Company (Private) Limited by the State Government. Sub-clause (1) of clause 8 of the Bill provides for the payment in cash, of an amount of Rs. 147.53 lakhs only for vesting, in the State Government, of the undertakings of the Company and the right, title and interest of the Company in relation to its undertakings.

2. Sub-clause (3) of clause 8 of the Bill provides for payment of a further amount, in cash, of Rs. 2,175 only in consideration of the deprivation of the Company of the management of its undertakings.

3. Clause 9 of the Bill provides for the appointment of a Commissioner of Payments by the State Government with adequate staff to assist him for the purpose of disbursing the amount payable to the Company. The salary and allowances of the Commissioner of Payments and his staff and the expenditure on office and establishment will be defrayed out of the Consolidated Fund of the State. The estimated expenditure on this account is likely to be of the order of Rs. 5,000 per month.

4. Sub-clause (2) of clause 5 of the Bill provides for assumption by the State Government or the existing or the new Government company of all liabilities arising on or after the date of taking over of the management of the undertakings of the Company under the Industries (Development and Regulation) Act, 1951. The amount is likely to be of the order of Rs. 70.92 lakhs based on provisional balance-sheet figure. As per the Government of India guidelines, the amount as aforesaid should be fully protected.

5. Modernisation or diversification activities will be undertaken with the co-operation of banks and other financial institutions.

6. The Bill is not likely to involve any other recurring or non-recurring expenditure.

CALCUTTA,
The 11th June, 1996.

MRINAL BANERJEE,
Member-in-charge.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No. WB(Part-IV)/96/SAR-20

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 21] TUESDAY, JUNE 11, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 992-L.—11th June, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 18 of 1996

THE LILY BARLEY MILLS (PRIVATE) LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) BILL, 1996.

A BILL

to provide for the acquisition and transfer, in the public interest, of the undertakings of the Lily Barley Mills (Private) Limited, and for matters connected therewith or incidental thereto.

WHEREAS the Lily Barley Mills (Private) Limited had been engaged in the manufacture of flour;

AND WHEREAS the management of the undertakings of the Lily Barley Mills (Private) Limited had been conducted in a manner highly detrimental to the public interest;

AND WHEREAS the management of the undertakings of the Lily Barley Mills (Private) Limited was taken over by the Central Government under section 18A of the Industries (Development and Regulation) Act, 1951, on and from the 27th day of March, 1979; 65 of 1951.

AND WHEREAS the period of the taking over of the management of the Company expired on the 26th day of March, 1996;

AND WHEREAS for the purpose of reconstructing and rehabilitating the undertakings of the Lily Barley Mills (Private) Limited so as to subserve the interest of the general public by augmentation of production and distribution of the aforesaid articles which

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses 1-4.)

are essential to the needs of the general public, it is necessary to acquire the undertakings of the Company;

It is hereby enacted in the Foty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(2) It shall be deemed to have come into force on the 27th day of March, 1996.

Definitions

2. In this Act, unless the context otherwise requires,—

(a) "appointed day" means the date on which this Act comes into force;

(b) "Commissioner" means the Commissioner of Payments appointed under section 9;

(c) "Company" means the Lily Barley Mills (Private) Limited, being a company as defined in the Companies Act, 1956, and having its registered office at 19, Murari Pukur Lane, Calcutta-700 067; 1 of 1956.

(d) "date of taking over of management of the undertakings of the Company" means the 27th day of March, 1979;

(e) "existing Government company" means a Government company which is carrying on business on the appointed day;

(f) "new Government company" means a Government company formed and registered on or after the appointed day;

(g) "notification" means a notification published in the *Official Gazette*;

(h) "prescribed" means prescribed by rules made under this Act;

(i) words and expressions used herein and not defined, but defined in the Companies Act, 1956, have the meanings respectively assigned to them in that Act.

Transfer to, and vesting in, State Government of the undertakings of the Company.

3. On the appointed day,the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings, shall, by virtue of this Act, stand transferred to, and vest in, the State Government.

General effect of vesting.

4. (1) The undertakings of the Company shall be deemed to include all assets, rights, lease-holds, powers, authorities and privileges, and all property, movable and immovable, including lands, buildings, offices, factories, workshops, stores, instruments, plants, machinery and equipment, installations, laboratories, office furniture, stationery and equipment, vehicles, patents, trade marks, cash balances, cash in hand, reserve funds, investments, book debts and all other rights and interests in, or arising out of, such property as were immediately before the appointed day in the ownership, possession, power or control of the Company, whether within or outside India, and all books of accounts, registers and all other documents of whatever nature relating thereto.

(2) All properties and assets as aforesaid which have vested in the State Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charges, liens and all other encumbrances affecting them, and any attachment, injunction, decree or order of any court or other authority restricting the use of such properties or assets in any manner or appointing any receiver in respect of the whole or any part of such properties or assets shall be deemed to have been withdrawn.

(3) Every mortgagee of any property which has vested under this Act in the State Government and every person holding any charge, lien or other interest in, or in relation to, any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clause 5.)

(4) For the removal of doubts, it is hereby declared that the mortgagee of any property referred to in sub-section (3) or any other person holding any charge, lien or other interest in, or in relation to, any such property shall be entitled to claim, in accordance with his rights and interests, payment of the mortgage money or other dues, in whole or in part, out of the amount of compensation determined under sub-section (1), and also out of the amount determined under sub-section (2), of section 7, but, no such mortgage, charge, lien or other interests shall be enforceable against any property which has vested in the State Government.

(5) Any licence or other instrument granted to the Company in relation to any undertaking which has vested in the State Government under section 3 at any time before the appointed day and in force immediately before the appointed day shall continue to be in force on and after such day in accordance with its tenor in relation to and for the purpose of such undertaking, and, on and from the date of vesting of such undertaking, under section 6, in an existing Government company, or under section 7, in a new Government company, the existing or the new Government company, as the case may be, shall be deemed to be substituted in such licence or other instrument as if such licence or other instrument had been granted to such existing or new Government company and such existing or new Government company shall hold it for the remainder of the period for which the Company would have held it under the terms thereof.

(6) If, on the appointed day, any suit, appeal or other proceeding of whatever nature, in relation to any property or asset which has vested in the State Government under section 3, instituted or preferred by or against the Company, is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertakings of the Company or of anything contained in this Act, but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, by or against such Government company.

Central Government or State Government or existing or new Government company not to be liable for certain prior liabilities.

5. (1) Every liability, other than the liability specified in sub-section (2), of the Company in respect of any period prior to the appointed day shall be the liability of the Company and shall be enforceable against it and not against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

(2) Any liability arising in respect of—

(a) loans advanced by the Central Government or the State Government, or both, to the Company (together with interest due thereon), on or after the date of taking over of management of the undertakings of the Company,

(b) loans advanced by a bank to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(c) loans advanced by the Industrial Reconstruction Bank of India Limited to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(d) wages, salaries and other dues of employees of the Company and dues on account of any deductions made from wages and salaries and other dues of such employees relating to any period commencing on and from the date of taking over of management of the undertakings of the Company, or

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clause 6.)

(e) any debt incurred by the Company during any period commencing on and from the date of taking over of management of the undertakings of the Company, not being a debt falling under clause (a), clause (b), clause (c) or clause (d),

shall, on and from the appointed day, be the liability of the State Government or the Government company as aforesaid and shall be discharged by the State Government or the existing Government company or the new Government company as aforesaid as and when repayment of such loans becomes due or such wages, salaries and other dues or debt become due and payable.

(3) For the removal of doubts, it is hereby declared that—

(a) save as otherwise expressly provided in this Act, no liability of the Company in relation to its undertakings in respect of any period prior to the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(b) no award, decree or order of any court, tribunal or other authority in relation to the undertakings of the Company passed on or after the appointed day, in respect of any matter, claim or dispute, which arose before the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(c) no liability incurred by the Company before the appointed day for the contravention of any provision of any law for the time being in force shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

Power of State Government to direct vesting of the undertakings of the Company in an existing Government company

6. (1) Notwithstanding anything contained in sections 3 and 4, the State Government may, if it is satisfied that an existing Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that existing Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in an existing Government company, that Government company shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the rights and liabilities, respectively, of that existing Government company.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses 7-9.)

Power of State Government to direct vesting of the undertakings of the Company in a new Government company.

7. (1) Notwithstanding anything contained in sections 3, 4 and 6, the State Government may, if it is satisfied that a new Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that new Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the date of registration of the new Government company) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in a new Government company, that new Government company shall, on and from the date of such vesting, be deemed to have become the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, respectively, of that new Government company.

Payment of amount.

8. (1) For the transfer to, and vesting in, the State Government, under section 3, of the undertakings of the Company and the right, title and interest of the Company in relation to its undertakings, there shall be given by the State Government to the Company in cash, as a one-time settlement, a sum of rupees forty-one thousand within such time as the State Government may by notification specify.

(2) For the avoidance of doubts, it is hereby declared that the liabilities of the Company in relation to the undertakings which have vested in the State Government under section 3, shall be met from the amount specified in sub-section (1).

(3) For the deprivation of the Company of the management of its undertakings, there shall be given to the Company by the State Government an amount of rupees five hundred and twenty-three.

(4) Every person having a claim against the Company shall prefer such claim before the Commissioner of Payments appointed under section 9 within such period as the State Government may by notification specify. The procedure of disposing the claim shall be such as may be prescribed.

(5) Notwithstanding anything contained elsewhere in this Act,—

(a) any amount payable to any bank or financial institution towards repayment of the principal amount of any secured loans advanced by such bank or financial institution to the Company before the date of taking over of management of the undertakings of the Company, shall be paid directly by the State Government to such bank or financial institution in accordance with such agreement, in writing, as the State Government and the bank or the financial institution may enter into with each other; and

(b) the amount payable by the State Government directly to any bank or financial institution under clause (a) shall be deducted from the amount payable to the Company under this section.

Appointment of Commissioner of Payments.

9. (1) The State Government shall, for the purpose of disbursing the amounts payable under section 8, by notification, appoint a Commissioner of Payments.

(2) The salary and allowances of the Commissioner appointed under this section shall be defrayed out of the Consolidated Fund of the State.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses 10, 11.)

Management, etc., of the undertakings of the Company

10. (1) The general superintendence, direction, control and management of the affairs and business of the undertakings of the Company, the right, title and interest in relation to which have vested in the State Government under section 3, shall,—

(a) where a direction has been given by the State Government under sub-section (1) of section 6, vest, on and from the date specified in such direction, in the existing Government company specified therein, or

(b) where a direction has been given by the State Government under sub-section (1) of section 7, vest, on and from the date specified in such direction, in the new Government company specified therein, or

(c) where no direction referred to in clause (a) or clause (b) has been given, vest in one or more Custodians appointed by the State Government under sub-section (2),

and thereupon the existing, or new, Government company so specified or the Custodian or Custodians so appointed, as the case may be, shall be entitled to exercise, to the exclusion of all other persons, all such powers and do all such things as the Company is authorised to exercise and do in relation to its undertakings.

(2) The State Government may appoint one or more individuals or a Government company as the Custodian or Custodians of the undertakings of the Company in relation to which no direction has been given by it under sub-section (1) of section 6 or sub-section (1) of section 7.

(3) The Custodian or Custodians so appointed shall receive from the funds of the undertakings of the Company such remuneration as the State Government may fix and hold office during the pleasure of the State Government.

Duty of person in charge of management of the undertakings of the Company to deliver all assets, etc.

11. (1) On the vesting of the management of the undertakings of the Company in an existing, or new, Government company or on the appointment of a Custodian or Custodians, all persons in charge of the management of the undertakings of the Company immediately before such vesting or appointment shall be bound to deliver to such Government company, or Custodian or Custodians, as the case may be, all assets, books of account, registers and other documents in their custody relating to the undertakings of such Company.

(2) The State Government may issue such directions as it may deem desirable in the circumstances of the case to the existing, or new, Government company or the Custodian or Custodians as to the power and duties of such Government company or Custodian or Custodians, and such Government company or Custodian or Custodians may also, if it is considered necessary so to do, apply to the State Government at any time for instructions as to the manner in which the management of the undertakings of the Company shall be conducted or in relation to any other matter arising in the course of such management.

(3) Any person, who on the appointed day has in his possession or under his control any books, documents or other papers relating to the undertakings of the Company which have vested in the State Government or in any existing, or new, Government company and which belong to the Company, or would have so belonged if the undertakings of the Company had not vested in the State Government or the existing, or new, Government company, shall be liable to account for the said books, documents or other papers to the State Government or the existing, or new, Government company, as the case may be, and shall deliver them up to the State Government or the existing, or new, Government company, or to such person or body of persons as the State Government or such Government company may specify in this behalf.

(4) The State Government or the existing, or new, Government company may take, or cause to be taken, all necessary steps for securing possession of all undertakings which have vested in the State Government or the existing, or new, Government company under this Act.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses12-16.)

(5) The Company shall, within such period as the State Government may allow in this behalf, furnish to that Government a complete inventory of all its properties and assets, as on the appointed day, pertaining to the undertakings which have vested in the State Government under section 3, and, for this purpose, the State Government or the existing, or new, Government company shall afford to the Company all reasonable facilities.

Accounts and audit

12. The Custodian or Custodians of the undertakings of the Company shall maintain an account of the undertakings of the Company in such form and under such conditions as may be prescribed and the provisions of the Companies Act, 1956 shall apply to the audit of the accounts so maintained as they apply to the audit of the accounts of a company. 1 of 1956.

Employment of certain employees to continue.

13. (1) Every person who has been, immediately before the appointed day, employed in any of the undertakings of the Company shall become,—

(a) on and from the appointed day, an employee of the State Government, and

(b) where the undertakings of the Company are directed to vest, under sub-section (1) of section 6, in an existing Government company, or under sub-section (1) of section 7, in a new Government company, an employee of such Government company on and from the date of such vesting,

and shall hold office or service under the State Government or the existing, or new, Government company, as the case may be, with the same rights and privileges as to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting or transfer and shall continue to do so unless and until his employment under the State Government or the existing, or new, Government company, as the case may be, is duly terminated or until his remuneration and other conditions of service are duly altered by the State Government or the existing, or new, Government company, as the case may be.

Act to have overriding effect.

14. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act, or in any decree or order of any court, tribunal or other authority.

Protection of action taken in good faith.

15. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer of that Government or the Custodian of the undertakings of the Company or the existing, or new, Government company or any officer or other person authorised by that Government or existing, or new, Government company for anything which is in good faith done or intended to be done under this Act.

Power to make rules.

16. (1) The State Government may, by notification, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which under any provision of this Act, are required to be prescribed or to be provided for by rules.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be, after it is made, before the State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modifications in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1996.

(Clauses 17, 18.)

Power to remove difficulties

17. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of coming into force of this Act.

Repeal and saving

18. (1) The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996, is hereby repealed. West Ben. Ord. VII of 1996.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

Lily Barley Mills (Private) Limited, being a Company as defined in the Companies Act, 1956 (1 of 1956) and having its registered office at 19, Muraripukur Lane, Calcutta-700 067, was engaged in the manufacture of flour for the general public. Because of general decline and stagnation of the commercial activity of the Company and also because of mismanagement, the management of the Company was taken over by the Central Government under section 18A of the Industries (Development and Rrgulation) Act, 1951 (65 of 1951), on and from the 27th day of March, 1979, and the State Government was duly authorised by the Central Government to manage the affairs of the Company. The maximum period of take-over of the management of the Company was due to expire on the 26th day of March, 1996. It was, therefore, considered necessary to acquire the undertakings of the Company for the purpose of reconstructing and rehabilitating it so as to subserve the interests of the general public by augmentation of production and distribution of products which are essential to the needs of the general public.

2 As the Legislative Assembly of the State was not in session and as in the public interest it was necessary to take action before the take-over period of management of the Company expired, an Ordinance, namely, the Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996 (West Bengal Ordinance No. VII of 1996), was promulgated to achieve the object.

3. The Bill seeks to continue the provisions of the Ordinance as aforesaid.

Calcutta,
The 11th June, 1996.

MRINAL BANERJEE,
Member-in-charge.

FINANCIAL MEMORANDUM.

Clause 3 of the Bill provides for the acquisition of the undertakings of Lily Barley Mills (Private) Limited by the State Government. Sub-clause (1) of clause 8 of the Bill provides for the payment, in cash, of an amount of Rs. 0.41 lakhs only for vesting, in the State Government, of the undertakings of the Company and the right, title and interest of the Company in relation to its undertakings.

2. Sub-clause (3) of clause 8 of the Bill provides for payment of a further amount, in cash, of Rs. 523 only in consideration of the deprivation of the Company of the management of its undertakings.

3. Clause 9 of the Bill provides for the appointment of a Commissioner of Payments by the State Government with adequate staff to assist him for the purpose of disbursing the amount payable to the Company. The salary and allowances of the Commissioner of Payments and his staff and the expenditure on office and establishment will be defrayed out of the Consolidated Fund of the State. The estimated expenditure on this account is likely to be of the order of Rs. 5,000 per month.

4. Sub-clause (2) of clause 5 of the Bill provides for assumption by the State Government or the existing or the new Government company of all liabilities arising on or after the date of taking over of the management of the undertakings of the Company under the Industries (Development and Regulation) Act, 1951. The amount is likely to be of the order of Rs. 0.02 lakhs based on provisional balance-sheet figure. As per the Government of India guidelines, the amount as aforesaid should be fully protected.

5. Modernisation or diversification activities will be undertaken with the co-operation of banks and other financial institutions.

6. The Bill is not likely to involve any other recurring or non-recurring expenditure.

Calcutta,
The 11th June, 1996.

MRINAL BANERJEE,
Member-in-charge.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-121

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 27] MONDAY, JUNE 17, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 1491-F.T. Calcutta, the 17th June, 1996.

NOTIFICATION

In exercise of the power conferred by section 104 of the West Bengal Sales Tax Act, 1994 (West Ben. Act XLIX of 1994), the Governor is pleased hereby to make the following amendments in the West Bengal Sales Tax Rules, 1995, as subsequently amended (hereinafter referred to as the said rules):—

Amendments

In the said rules,—

(1) in rule 169, in sub-rule (7), for the words "from the date of deduction", *substitute* the words "from the date immediately after the date of expiry of the calendar month reckoned according to the British calendar during which deduction is made";

(2) for rule 171, *substitute* the following rule:—

"Scroll for deposit or transfer of the amount deducted at source to be sent to the Commissioner

171. The person who deducts the amount towards payment of tax in respect of works contract under sub-section (1) of section 38 and deposits such amount under sub-rule (1) of rule 169 or transfers such amount under sub-rule (6) of the said rule, as the case may be, shall, within forty-five days from the date immediately after the date of expiry of the calendar month recokned according to the British calendar during which such deduction is made, send to the Commissioner—

(a) a scroll in Form 27 in respect of a month specifying therein, *inter alia*, the amount deducted and deposited under sub-rule (1) of rule 169 or deducted and transferred under sub-rule (6), of the said rule as the case may be, from each dealer during such month, the name and address of each dealer from whose payment such amount has been deducted, number of the certificate of registration under the Act, if any, of such dealer and the serial number and date of the certificate of deduction issued to each dealer,

(b) a copy of certificate of deduction issued to each dealer, and

(c) a copy of the receipted challan evidencing payment of the amount deposited during each month into the Reserve Bank of India or the appropriate Government Treasury, or a copy of the monthly divisional account statement referred to in sub-rule (7) of rule 169.";

(3) in Form 26,—

(a) in the first paragraph, after the word and brackets "(address)", *insert* the words "holding certificate of registration No. (if any).....";

(b) in the second paragraph, for the figures and brackets "169(1)/169(6)", *substitute* the figures and brackets "169(1)";

(c) after the second paragraph ending with the words and brackets "(in words)", *insert* the following paragraph:— "In accordance with the provisions of rule 169(6), the sum so deducted has been incorporated in the monthly divisional account statement and the same has been sent to the Accountant General, West Bengal, for transfer of the sum to the account under the head of account 0040-00-102 Sales Tax by the undersigned on.....(date) *vide* memo. No. ..... dated....., for Rs.....(in figures) (Rupees.....) (in words).";

(4) in Form 22,—

(a) in the second paragraph, for the figures and brackets "169(6)", *substitute* the figures and brackets "169(1)";

(b) after the second paragraph ending with the words "a copy of which is attached", *insert* the following paragraph:—

"*Certified that the total amount of Rs. .....(in figures) (Rupees .....) (in words) shown hereinabove has been incorporated in the monthly divisional account statement and the same has been sent to the Accountant General, West Bengal, for transfer of the sum to the account under the head of account 0040-00-102 Sales Tax by the undersigned in accordance with rule 169(6) on .....(date) vide memo. No. ....., dated ....., for Rs. .....(in figures) (Rupees .....) (in words) a copy of which is attached.";

(c) in the Note, after the word and figures "Calcutta—15.", *insert* the words "*Strike out whichever paragraph is not applicable.".

2. This notification shall come into force on the 1st day of July, 1996.

By order of the Governor,

N. BARMAN ROY,
Dy. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-18

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 28] TUESDAY, JUNE 18, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1050-L.—18th June, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 19 of 1996

THE WEST BENGAL REVENUE INTELLIGENCE (COLLECTION AND MONITORING OF INFORMATION) BILL, 1996.

A
BILL

to provide for the collection, compilation, analysis, preservation and monitoring of information and statistics with respect to commercial activities of trade, industry and agriculture in West Bengal and for the use of such information and statistics in framing or implementing the fiscal policy of the State of West Bengal

WHEREAS it is expedient to provide for the collection, compilation, analysis, preservation and monitoring of information and statistics with respect to commercial activities of trade, industry and agriculture in West Bengal and for the use of such information and statistics in framing or implementing the fiscal policy of the State of West Bengal,

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title, extent and commencement

1. (1) This Act may be called the West Bengal Revenue Intelligence (Collection and Monitoring of Information) Act, 1996

The West Bengal Revenue Intelligence (Collection and Monitoring of Information) Bill, 1996

(Clauses 2, 3.)

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Definitions

2. In this Act, unless the context otherwise requires,—

(a) "appropriate authority" means—

(i) the Central Government, or

(ii) the State Government, or

(iii) an undertaking of the Central Government or the State Government, or

(iv) any local authority, or

(v) any bank or other financial institution, or

(vi) the railway administration within the meaning of the Indian Railways Act, 1890, or — 9 of 1890

(vii) the Board of Trustees for a port within the meaning of the Major Port Trusts Act, 1963, or — 38 of 1963

(viii) the authority exercising any powers or jurisdiction in, or relating to, any port to which the Indian Ports Act, 1908, for the time being applies, or — 15 of 1908

(ix) Indian Airlines, or Air-India International, within the meaning of the Air Corporations Act, 1953; — 27 of 1953

(b) "commercial activity" means any activity in relation to trade, industry or agriculture of a trading or industrial concern relating to purchase, sale, manufacture, or processing, of goods, and includes import of goods into West Bengal or despatch of goods to any place outside West Bengal,

(c) "Director" means the Director of Revenue Intelligence appointed under clause (a) of sub-section (1) of section 3;

(d) "notification" means a notification published in the *Official Gazette*;

(e) "prescribed" means prescribed by rules made under this Act

Authorities and their jurisdiction

3. (1) (a) For carrying out the purposes of this Act, the State Government may appoint a person to be the Director of Revenue Intelligence, together with such other persons to assist him as it thinks fit, and may specify the area or areas over which they shall exercise jurisdiction.

Provided that the State Government may authorise the Director to appoint such persons to assist him as he thinks fit and to specify the area or areas over which they shall exercise jurisdiction.

(b) The State Government may appoint any person, not being the Director, appointed under clause (a), to be a Revenue Intelligence Officer.

(2) Persons appointed under sub-section (1) shall exercise such powers as may be conferred, and perform such duties as may be required, by or under this Act

(3) Notwithstanding anything to the contrary contained in sub-section (1), the Director may transfer any case or matter from any person appointed under sub-section (1) to assist him to any other person so appointed, whether such other person has jurisdiction over the area to which the case or matter relates or not, provided he is otherwise competent to deal with such case or matter in exercise or performance of the powers or duties referred to in sub-section (2).

(4) All persons appointed under sub-section (1) shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. — 45 of 1860

The West Bengal Revenue Intelligence (Collection and Monitoring of Information) Bill, 1996.

(Clauses 4-7.)

Information and statistics to be collected from appropriate authority

4. Notwithstanding anything contained in any other law for the time being in force, for the purposes of this Act, the Director or the persons appointed under sub-section (1) of section 3 shall collect from the appropriate authority information or statistics, if any, in respect of—

(a) any commercial activity of the appropriate authority, or

(b) any activity of any organization or concern about which the appropriate authority generates or maintains such information or statistics.

Power to call for statement and information and right of access to records or documents

5. (1) The Director, or any person appointed under sub-section (1) of section 3 and competent to do so, may serve or cause to be served, in the manner prescribed, a notice on the appropriate authority requiring it to furnish such statement as may be specified therein relating to any matter in respect of which statistics are to be collected, and may also call for any information in connection therewith or incidental thereto

(2) The statement and information shall be furnished in such form, to such authority and at such intervals as may be specified in the notice under sub-section (1).

(3) Where a periodical statement is not required, information relating to any matter in respect of which statistics are to be collected shall be furnished within such time as may be specified in the notice under sub-section (1).

(4) The Director, or any person appointed under sub-section (1) of section 3, not below such rank and subject to such conditions as may be prescribed, shall, for the purpose of collection of any information or statistics under this Act, have access to any record or document in the possession of the appropriate authority, and may enter at any time during the day any premises where he believes such records or documents are kept, and may inspect, or take copies of, such records or documents or ask such competent person as may be present at such premises any question necessary for obtaining any information required to be furnished under this Act.

(5) In requiring the production of any records or documents under this section, due regard shall be had in not disturbing the business of the appropriate authority beyond such period as may be deemed necessary.

Disposal of information and statistics collected by Director

6. (1) The Director may, after collection of necessary information under section 5, compile and analyse the information and also statistics, if any, and send such report—

(a) to the State Government at such intervals as may be prescribed, and

(b) to such authority as he deems necessary.

(2) When the authority referred to in clause (b) of sub-section (1) makes any request to the Director to supply certain information relating to any tax or duty imposed by, and payable to, the State Government, the Director may collect such information and supply the same to it in such manner and within such time as he may deem fit He shall also send a copy of the said report to the State Government.

Offences and penalties

7. If any person—

(a) required to furnish any statement, information or statistics under this Act,—

(i) wilfully refuses or, without lawful excuse, neglects to furnish such statement, information or statistics, or

(ii) wilfully furnishes, or causes to be furnished, any statement, information or statistics which he knows to be false, or

(iii) refuses to answer, or wilfully gives a false answer, to any question necessary for obtaining any information or statistics, or

(b) impedes the right of access to any records or documents, or the right to enter any premises, under section 5,

he shall be punishable with fine which may extend to five hundred rupees and, in the case of a continuing offence, to a further fine which may extend to two hundred rupees for each day during the period of continuance of the offence.

The West Bengal Revenue Intelligence (Collection and Monitoring of Information) Bill, 1996.

(Clauses 8-11.)

Liability to prosecution.

8. Where an offence under section 7 has been committed, every person, who, at the time the offence was committed, was in charge of the records or documents as aforesaid, shall be deemed to be guilty of such offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

Statement, information, etc., to be confidential.

9. (1) Every statement, information or statistics furnished under this Act, shall, save as otherwise provided in sub-section (2), be treated as confidential.

(2) Nothing in this section shall apply to the disclosure of any statement, information or statistics referred to in sub-section (1)—

(a) for the purposes of prosecution under the Indian Penal Code, the Prevention of Corruption Act, 1988, or this Act, or — 45 of 1860. 49 of 1988.

(b) where it is necessary to make such disclosure for the purposes of this Act, or

(c) to an officer of the State Government or the Central Government for the purposes of levy, collection or realisation of any tax or duty.

(3) No statement, information or statistics or any part thereof in respect of the appropriate authority or any organization or concern, obtained from the appropriate authority for the purposes of this Act, shall, without the previous consent in writing of the person for the time being in charge thereof, be published in such manner as would enable such statement, information or statistics to be identified as the statement, information or statistics of the appropriate authority or such organization or concern.

(4) Save as otherwise provided in sub-section (2) or sub-section (3), if any Government employee discloses any statement, information or statistics referred to in sub-section (1), he shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine.

Protection of action taken in good faith.

10. No suit, prosecution or other legal proceedings shall lie against any Government servant for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

Power to make rules.

11. (1) The State Government may, by notification, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which under any provision of this Act are required to be prescribed or to be provided for by rules.

STATEMENT OF OBJECTS AND REASONS.

At present, the State Government has limited statutory powers to collect information or statistics in respect of various subjects which are the concern of the State, particularly in the industrial and commercial field. It is, however, considered that such information and statistics are essential for the purpose of studing the revenue potential of the State, getting an idea regarding the leakage of State revenue, and taking steps to check such leakage with a view to framing a pragmatic fiscal policy. The existing methods of collecting such information and statistics administratively or in terms of the provisions of the existing statutes, however, are not very comprehensive. As such, the State Government has largely to depend on the voluntary co-operation of different organisations or agencies in the matter of collection of such information and statistics whenever necessary.

2. It has been the experience of the State Government that by and large, the response to the request to the organisations or agencies as aforesaid to furnish required information or statistics has not been encouraging. It is, therefore, considered necessary to provide the State Government with an independent machinery to collect such information and statistics for the purpose as aforesaid.

3. The Bill has been framed with the above object in view.

CALCUTTA,
The 18th June, 1996.

ASIM KUMAR DASGUPTA,
Member-in-charge.

FINANCIAL MEMORANDUM.

It has been decided to entrust the existing personnel of the Directorate of Revenue Intelligence with the task of administering the provisions of the Bill after it is enacted by the State Legislature. No additional expenditure is, therefore, envisaged in implementing the provisions of the Bill.

CALCUTTA,
The 18th June, 1996.

ASIM KUMAR DASGUPTA,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-IV)/96/SAR-27**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 28] TUESDAY, JUNE 18, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1055-L.—18th June, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 20 of 1996

THE WEST BENGAL LAND REFORMS (AMENDMENT) BILL, 1996.

A BILL

to amend the West Bengal Land Reforms Act, 1955.

WHEREAS it is expedient to amend the West Bengal Land Reforms Act, 1955, for the purposes and in the manner hereinafter appearing; West Ben Act X of 1956.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Land Reforms (Amendment) Act, 1996.

(2) It shall come into force at once.

Amendment of section 14L of West Ben Act X of 1956

2. In section 14L of the West Bengal Land Reforms Act, 1955 (hereinafter referred to as the principal Act), for the words "On and from the commencement", the words, figures, letters and brackets "Subject to the provisions of sub-section (3) of section 14Q, section 14Y and sub-section (2) of section 14Z, on and from the commencement" shall be substituted.

The West Bengal Land Reforms (Amendment) Bill, 1996.

(Clauses 3-5.)

Amendment of section 14Y.

3. To section 14Y of the principal Act, the following provisos and *Explanation* shall be added:—

'Provided that a person intending to establish a tea-garden, mill, factory or workshop, livestock breeding farm, poultry farm, or dairy, or township approved under the West Bengal Town and Country (Planning and Development) Act, 1979, may, with the previous permission, in writing, of the State Government and on such terms and conditions and in such manner as the State Government may specify, acquire and hold land in excess of the ceiling area applicable to him under section 14M:

West Ben. Act XIII of 1979.

Provided further that if such person, having been permitted by the State Government, does not utilise within two years of the date of such permission such land for the purpose for which he has been so permitted by the State Government to acquire and hold it, then, all the provisions of this Chapter relating to ceiling area shall apply to the area of land which is held in excess of the ceiling area applicable to him under section 14M.

Explanation.—For the purposes of this section, "person" includes an individual, a firm, a company, an institution, or an association or body of individuals, whether incorporated or not.'.

Amendment of section 14Z.

4. For sub-section (2) of section 14Z of the principal Act, the following sub-section shall be substituted:—

'(2) In the case of land comprised in a tea-garden, mill, or factory or workshop, or land used for the purpose of livestock breeding, poultry farming, or dairy, or township approved under the West Bengal Town and Country (Planning and Development) Act, 1979, the *raiyat* or, where the land is held under a lease, the lessee may be allowed to retain (in excess of the prescribed ceiling) only so much of such land as in the opinion of the State Government is required for the purpose of such tea-garden, mill,factory or workshop, livestock breeding, poultry farming, or dairy, or township approved under the West Bengal Town and Country (Planning and Development) Act, 1979, as the case may be:

Provided that the State Government may, if it thinks fit so to do after reviewing the circumstances of each case and after giving the *raiyat* or the lessee, as the case may be, an opportunity of being heard, revise any order made by it under this sub-section:

Provided further that in determining the land required for the purpose of tea cultivation, there shall not be any diminution of the area of a tea-garden.

Explanation.—The expression "land under a lease" includes any land held directly under the State Government under a lease.'.

Amendment of section 49

5. In sub-section (5) of section 49 of the principal Act, the existing *Explanation* shall be renumbered as *Explanation I* and after *Explanation I* as so renumbered, the following *Explanation* shall be inserted:—

'*Explanation II.*—For the purposes of this sub-section, "industry" includes a tea-garden, mill, factory or workshop, livestock breeding, poultry farming, or dairy, or township approved under the West Bengal Town and Country (Planning and Development) Act, 1979.'.

STATEMENT OF OBJECTS AND REASONS.

The West Bengal Land Reforms Act, 1955 does not allow a person or a company to acquire land beyond seven standard hectares (i.e. 24.22 acres in non-irrigated area) even if he genuinely needs such a large chunk of land for establishing a new industry, tea-garden etc. This is because acquisition of land in excess of the ceiling limit is not permitted under section 14Y of the Act.

2. The Bill seeks to remove this difficulty so that a person, firm, company, institution or an association or body of individuals intending to establish a tea-garden, mill, factory or workshop, livestock breeding farm, poultry farm, or dairy or township approved under the West Bengal Town and Country (Planning and Development) Act, 1979 may be permitted on certain terms and conditions to acquire and hold land in excess of the ceiling area specified under section 14M of the Act. The Bill also specifies that if the land so acquired is not utilised within two years from the date of such permission, then, all the provisions of the Act relating to ceiling area shall apply in respect of such land.

3. The Bill has been framed with above object in view.

CALCUTTA,
The 17th June, 1996.

SURJYA KANTA MISHRA,
Member-in-charge.

FINANCIAL MEMORANDUM.

The proposed amendment has no additional financial implication on the State Government.

CALCUTTA,
The 17th June, 1996.

SURJYA KANTA MISHRA,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No. WB(Part-IV)/96/SAR-30

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 29] WEDNESDAY, JUNE 19, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1061-L.—19th June, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 21 of 1996

THE REGISTRATION (WEST BENGAL AMENDMENT) BILL, 1996.

A BILL

to amend the Registration Act, 1908, in its application to West Bengal.

WHEREAS it is expedient to amend the Registration Act, 1908, in its application to West Bengal, for the purpose and in the manner hereinafter appearing; 16 of 1908

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title, extent and commencement

1. (1) This Act may be called the Registration (West Bengal Amendment) Act, 1996.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date as the State Government may, by notification, in the *Official Gazette*, appoint.

Application of the Act.

2. The Registration Act, 1908 (hereinafter referred to as the principal Act) shall, in its application to West Bengal, be amended in the manner hereinafter provided.

The Registration (West Bengal Amendment) Bill, 1996.

(Clause 3.)

Amendment of section 30 of Act 16 of 1908

3. In section 30 of the principal Act, sub-section (2) shall be omitted.

STATEMENT OF OBJECTS AND REASONS.

By taking recourse to the provision of sub-section (2) of section 30 of the Registration Act, 1908, which lays down that Registrar of a district in which a Presidency-town is included and the Registrar of the Delhi District may receive and register any document referred to in section 28 without regard to the situation in any part of India of the property to which the document relates, a large number of documents concerning properties situated in West Bengal are being registered in other Presidency-town or in Delhi In the process, the State of West Bengal has been losing huge revenue. Many States have already repealed the said provision in the interest of the States concerned. In the interest of revenue, therefore, it is considered necessary and expedient to amend the said section by way of omission of sub-section (2) of section 30 of the Registration Act, 1908, in its application to West Bengal.

2. The Bill has been framed with the above object in view.

CALCUTTA,
The 19th June, 1996.

ASIM KUMAR DASGUPTA,
Member-in-charge.

FINANCIAL MEMORANDUM.

No additional expenditure is envisaged to give effect to the provisions of the Bill.

CALCUTTA,
The 19th June, 1996.

ASIM KUMAR DASGUPTA,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No.WB/DTP/Pt.I/CPS/96/1569

The Calcutta Gazette

Extraordinary

Published by Authority

JYAISTHA 29] WEDNESDAY, JUNE 19, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

Judicial Department

NOTIFICATION

No. 1449-JF Dated, Calcutta the 17th June, 1996

In exercise of power conferred by sub-section *(1)* of section 4 of the Wakf Act, 1995 (43 of 1995), the Governor is pleased hereby to appoint with immediate effect, for the State of West Bengal Shri Parimal Bandyopadhyay, I.A.S., Director of Land Records and Surveys, West Bengal, to be also the Survey Commissioner of Wakfs, West Bengal, for the purpose of making a survey of wakfs existing in the State of West Bengal at the date of the commencement of the said Act.

By order of the Governor,

P.K. Sengupta

Secy. to the Govt. of West Bengal.

Published by the Controller of Printing & Stationery, West Bengal and printed at DTP Press, 10 Rainey Park, Calcutta – 700 019

Registered No. WB/SC-247 No.WB/DTP/Pt.I/CPS/96/1568

The Calcutta Gazette

Extraordinary

Published by Authority

JYAISTHA 29] WEDNESDAY, JUNE 19, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

Judicial Department

NOTIFICATION

No. 1451-JF

Dated, Calcutta the 19th June, 1996

In exercise of the power conferred by sub-section *(1)* read with clause *(iv)* of sub-section *(2)*, of section 109, and sub-section *(2)* of section 14, of the Wakf Act, 1995 (43 of 1995), and in supersession of all previous rules on the subject, the Governor is pleased hereby to make the following rules :-

The West Bengal Board of Wakfs (Election of Members) Rules, 1996.

1. **Short title and commencement —**

(1) These rules may be called the West Bengal Board of Wakfs (Election of Members) Rules, 1996.

(2) They shall come into force at once.

2. **Definitions—** In these rules, unless there is anything repugnant in the subject or context —

(a) "the Act" means the Wakf Act, 1995 (43 of 1995);

(b) "Assembly" means the West Bengal Legislative Assembly;

(c) "Assembly" means a member of the Assembly;

(d) "Returning Officer" means, *(i)* for the electoral colleges mentioned at sub-clauses *(i)* and *(ii)* of clause *(b)* of sub-section *(1)* of section 4 of the Act, the Secretary to the Assembly, and includes any person for the time being performing the duties of the Secretary to the Assembly, *(ii)* for the electoral college mentioned at sub-clause (iii) of clause *(b)* of sub-section *(1)* of section 4 of the Act, the Secretary of the Bar Council of the State, and *(iii)* for the electoral college mentioned at sub-clause *(iv)* of clause *(b)* of sub-section *(1)* of section 4 of the act, any officer, not below the rank of a Joint Secretary to the Government of West Bengal, as may be appointed by the State Government by notification in this behalf in the Official Gazette.

3. **Election to be conducted by Returning Officer —**

(1) The election and all matters relating thereto for which provision is made in these rules shall be conducted by the Returning Officer, and the Returning Officer may appoint such person or persons to assist him in the conduct thereof as he may think necessary.

(2) The Returning Officer and any other person or persons conducting elections under sub-rule *(1)* shall be entitled to such allowances as the State Government may determine.

4. **Election to be held in accordance with the system of proportional representation —**

(1) The election under these rules shall be held in accordance with the system of proportional representation by means of a single transferable vote. The election shall be held on such date as may be fixed by the Returning Officer.

(2) Two members shall be elected from each of the electoral colleges mentioned in sub-clause *(i)* to *(iv)* of clause *(b)* of section 14 of the Act;

Provided that where any electoral college consists of less than seven persons, only one member shall be elected from that electoral college.

5. **Time-table of election** — The Returning Officer shall also fix —

(a) a date on or before which nominations for election under these rules are to be made;

(b) a further date, not later than the third day after the first mentioned date, for the scrutiny of nominations;

(c) a further date, not later than the day succeeding the date fixed for the scrutiny of nominations, on or before which candidatures may be withdrawn; and the dates so fixed and also the date fixed under rule 4 for the election shall be notified to the members in such manner as the Returning Officer thinks fit.

6. **Nomination Paper —**

(1) Every nomination paper shall be signed by a member as proposer and another member as seconder and shall contain a statement by the member nominated that he is willing to stand.

(2) Only members professing Islam shall be nominated.

7. **Names of duly nominated members** — On completion of the scrutiny of nominations and as soon as may be after the expiry of the period within which candidatures may be withdrawn, the Returning Officer shall inform every member in writing of the names of the duly nominated members, who have not withdrawn their candidatures.

8. **Members to be declared to be duly elected** — If the number of such duly nominated members does not exceed the number of members to be elected, the Returning Officer shall declare those members to be elected.

9. **Election of members —**

(1) If the number of such duly nominated members exceeds the number of members to be elected, the Returning Officer shall,on the date fixed for the election, deliver to each member present a ballot paper containing the names of the candidates for election. Such ballot papers shall have printed thereon, such suitable instructions in accordance with these rules for the guidance of electors as the Returning Officer may determine.

(2) The members shall then proceed to vote for the candidates by ballot and the method of voting as prescribed in Part VI of the Conduct of Election Rules,, 1961, regarding Voting at Elections by Assembly Members and in Council constituencies, as amended from time to time, shall, **mutatis mutandis**, apply in the case of election under these rules.

10. **Voting to be declared closed** — When in the opinion of the Returning Officer a sufficient opportunity has been given to all the members to record their votes, he shall declare the voting closed.

11. **Counting of votes** — The Returning Officer shall then, without delay, arrange for counting of the votes. The manner prescribed in Part VII of the Conduct of Election Rules, 1961, regarding counting of votes at elections by Assembly Members or in Council constituencies, as amended from time to time, shall **mutatis mutandis** apply in the matter of counting of the votes.

12. **Declaration of result** — When the counting of the votes has been completed, the Returning Officer shall forthwith declare the result of the election and shall report the said result to the Secretary to the Government of West Bengal in the Judicial Department.

13. **Disputes to be decided by Returning Officer** — The Returning Officer shall decide all disputes arising in connection with any election and all decisions given by him under the powers conferred on him by these rules shall be final.

By order of the Governor,

P.K. Sengupta

Secy. to the Govt. of West Bengal.

Published by the Controller of Printing & Stationery, West Bengal and printed at DTP Press, 10 Rainey Park, Calcutta - 700 019

Registered No. WB/SC-247 No. WB(Part-IV)/96/SAR-24

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 30] THURSDAY, JUNE 20, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1066-L.—20th June, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 22 of 1996

THE BENGAL, AGRA AND ASSAM CIVIL COURTS (WEST BENGAL AMENDMENT) BILL, 1996.

A BILL

to amend the Bengal, Agra and Assam Civil Courts Act, 1887, in its application to West Bengal.

WHEREAS it is expedient to amend the Bengal, Agra and Assam Civil Courts Act, 1887, in its application to West Bengal, for the purposes and in the manner hereinafter appearing; 12 of 1887

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Act, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Bill, 1996.

(Clauses 2-7.)

Application of the Act.

2. The Bengal, Agra and Assam Civil Courts Act, 1887 (hereinafter referred to as the principal Act) shall, in its application to West Bengal, be amended for the purposes and in the manner hereinafter provided.

Amendment of section 3.

3. In section 3 of the principal Act,—

(1) in clause (3), for the words "Assistant District Judge;", the words and brackets "Civil Judge (Senior Division);" shall be substituted;

(2) in clause (4), for the word "*Munsif.*", the words and brackets "Civil Judge (Junior Division)." shall be substituted.

Amendment of section 4.

4. In section 4 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judges and *Munsifs.*", the words and brackets "Civil Judges (Senior Division) and Civil Judges (Junior Division)." shall be substituted;

(2) for the words "Assistant District Judges and *Munsifs*", the words and brackets "Civil Judges (Senior Division) and Civil Judges (Junior Division)" shall be substituted.

Amendment of section 6.

5. In section 6 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judges.", the words and brackets "Civil Judges (Senior Division)." shall be substituted;

(2) in sub-section (1),—

(a) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted, and

(b) for the words "Assistant District Judges" in the two places where they occur, the words and brackets "Civil Judges (Senior Division)" shall be substituted;

(3) in sub-section (2), for the words "Assistant District Judge", wherever they occur, the words and brackets "Civil Judge (Senior Division)" shall be substituted.

Amendment of section 10.

6. In section 10 of the principal Act,—

(1) in sub-section (1), for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted;

(2) in sub-section (2), for the words "Assistant District Judge,", the words and brackets "Civil Judge (Senior Division)," shall be substituted.

Amendment of section 11.

7. In section 11 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judge.", the words and brackets "Civil Judge (Senior Division)." shall be substituted;

(2) in sub-section (1), for the words "Assistant District Judge" in the two places where they occur, the words and brackets "Civil Judge (Senior Division)" shall be substituted;

(3) in sub-section (3), for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted;

(4) in sub-section (4), for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted.

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Bill, 1996.

(Clauses 8-12.)

Amendment of section 13.

8. In section 13 of the principal Act,—

(1) in sub-section (2),—

(a) for the words "Assistant District Judges or to two or more *Munsifs*,", the words and brackets "Civil Judges (Senior Division) or to two or more Civil Judges (Junior Division)," shall be substituted, and

(b) for the words "Assistant District Judge or *Munsif*,", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)," shall be substituted;

(2) in sub-section (3),—

(a) for the words "Assistant District Judges or to one of two or more *Munsifs*,", the words and brackets "Civil Judges (Senior Division) or to one of two or more Civil Judges (Junior Division)," shall be substituted, and

(b) for the words "Assistant District Judge or *Munsif*", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)" shall be substituted;

(3) in sub-section (4), for the words "Assistant District Judge or *Munsif*" in the two places where they occur, the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)" shall be substituted.

Amendment of section 18.

9. In section 18 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judge.", the words and brackets "Civil Judge (Senior Division)." shall be substituted;

(2) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted.

Amendment of section 19.

10. In section 19 of the principal Act,—

(1) in the marginal note, for the word "*Munsifs*.", the words and brackets "Civil Judges (Junior Division)." shall be substituted;

(2) in sub-section (1), for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted;

(3) in sub-section (2), for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted.

Amendment of section 21.

11. In section 21 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judges and *Munsifs*.", the words and brackets "Civil Judges (Senior Division) and Civil Judges (Junior Division)." shall be substituted;

(2) in sub-section (1), for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted;

(3) in sub-section (2), for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted;

(4) in sub-section (4),—

(a) for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted, and

(b) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted.

Amendment of section 22.

12. In section 22 of the principal Act,—

(1) in the marginal note,—

(a) for the words "Assistant District Judges", the words and brackets "Civil Judges (Senior Division)" shall be substituted, and

(b) for the word "*Munsifs*.", the words and brackets "Civil Judges (Junior Division)." shall be substituted;

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Bill, 1996.

(Clauses 13-17.)

(2) in sub-section (1),—

(a) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted, and

(b) for the word "*Munsifs*.", the words and brackets "Civil Judges (Junior Division)." shall be substituted.

Amendment of section 23

13. In section 23 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judge or *Munsif*", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)" shall be substituted;

(2) in sub-section (1), for the words "Assistant District Judge or *Munsif*" in the two places where they occur, the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)" shall be substituted;

(3) in sub-section (3), for the words "Assistant District Judge or *Munsif*,", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)," shall be substituted.

Amendment of section 24

14. In section 24 of the principal Act,—

(1) in sub-section (1),—

(a) for the words "Assistant District Judge or *Munsif*,", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)," shall be substituted;

(b) in the proviso, for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted;

(2) in sub-section (2), for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted.

Amendment of section 25

15. In section 25 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judges and *Munsifs*", the words and brackets "Civil Judges (Senior Division) and Civil Judges (Junior Division)" shall be substituted;

(2) (a) for the words "Assistant District Judge" in the two places where they occur, the words and brackets "Civil Judge (Senior Division)" shall be substituted, and

(b) for the word "*Munsif*" in the two places where it occurs, the words and brackets "Civil Judge (Junior Division)" shall be substituted.

Amendment of section 36

16. In section 36 of the principal Act, in sub-section (3),—

(1) for the word "*Munsif*" in the two places where it occurs, the words and brackets "Civil Judge (Junior Division)" shall be substituted, and

(2) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted.

Supplementary provision

17. With effect from the date of commencement of this Act, any reference to the Assistant District Judge or *Munsif* in—

(a) any Bengal Act or West Bengal Act, or

(b) any Central Act with respect to any of the matters enumerated in List III in the Seventh Schedule to the Constitution of India (hereinafter referred to as the Constitution), or

(c) any order, rule, bye-law or notification issued under any Bengal Act or West Bengal Act, or

(d) any notification, order, rule or bye-law issued under any Central Act or Regulation, or

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Bill, 1996.

(Clause 18.)

(e) any rule made and issued by the High Court under article 227 of the Constitution,

shall be construed as reference to the Civil Judge (Senior Division) or Civil Judge (Junior Division), as the the case may be.

Saving of suits, proceedings and appeals

18. (1) Any suit or proceeding pending in the Court of an Assistant District Judge or *Munsif* shall, on the coming into force of this Act, be disposed of as if such suit or proceeding had been instituted in the Court of the Civil Judge (Senior Division) or Civil Judge (Junior Division), as the case may be.

(2) Nothing in this Act shall affect any appeal from a decree or order of an Assistant District Judge or *Munsif* pending in the Court of the District Judge or in the High Court, as the case may be, on the date on which this Act comes into force, and every such appeal shall be continued as if this Act had not been passed.

STATEMENT OF OBJECTS AND REASONS.

In the judgement in the case of All India Judges' Association Vs. Union of India and Ors., the Supreme Court of India directed all the States to bring about uniformity of designation of the judicial officers at all levels, both on the Civil and the Criminal Side, of the subordinate judiciary. The Supreme Court further directed that the hierarchy of judicial officers of the Civil Side should be classified as District Judge, Additional District Judge, Civil Judge (Senior Division) and Civil Judge (Junior Division). At present, in the State of West Bengal, the hierarchy of the judges on the Civil Side under the provisions of section 3 of the Bengal, Agra and Assam Civil Courts Act, 1887 (12 of 1887) is as follows:—

(a) District Judge;

(b) Additional District Judge;

(c) Assistant District Judge; and

(d) *Munsif.*

2. With a view to bringing about uniformity in the designations of judicial officers throughout the country in order to comply with the direction of the Supreme Court, the existing designations, namely, Assistant District Judge and *Munsif*, are to be changed to Civil Judge (Senior Division) and Civil Judge (Junior Division) respectively. Such change requires amendment of section 3 and some other related sections of the Bengal, Agra and Assam Civil Courts Act, 1887 (12 of 1887).

3. The Bill has been framed with the above object in view.

NISITH ADHIKARY,
Member-in-charge.

Calcutta,
The 14th June, 1996.

FINANCIAL MEMORANDUM.

There is no financial implication involved in the Bill.

NISITH ADHIKARY,
Member-in-charge.

Calcutta,
The 14th June, 1996.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No. WB(Part-IV)/96/SAR-29

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

JYAISTHA 31] FRIDAY, JUNE 21, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1111-L.—21st June, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 23 of 1996

THE WEST BENGAL FINANCE BILL, 1996.

A
BILL

to amend the Indian Stamp Act, 1899, in its application to West Bengal, the Bengal Electricity Duty Act, 1935, the Bengal Agricultural Income-tax Act, 1944, the West Bengal Primary Education Act, 1973, the West Bengal Rural Employment and Production Act, 1976, the West Bengal State Tax on Professions, Trades, Callings and Employments Act, 1979, the West Bengal Luxury Tax Act, 1994, and the West Bengal Sales Tax Act, 1994.

WHEREAS it is expedient to amend the Indian Stamp Act, 1899, in its application to West Bengal, the Bengal Electricity Duty Act, 1935, the Bengal Agricultural Income-tax Act, 1944, the West Bengal Primary Education Act, 1973, the West Bengal Rural Employment and Production Act, 1976, the West Bengal State Tax on Professions, Trades, Callings and Employments Act, 1979, the West Bengal Luxury Tax Act, 1994, and the West Bengal Sales Tax Act, 1994, for the purposes and in the manner hereinafter appearing;

2 of 1899.
Ben Act X of 1935
Ben Act IV of 1944
West Ben Act XLIII of 1973.
West Ben Act XIV of 1976.
West Ben Act VI of 1979.
West Ben Act XV of 1994.
West Ben Act XLIX of 1994

The West Bengal Finance Bill, 1996.

(Clauses 1-3.)

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Finance Act, 1996.

(2) It shall come into force on such date, or shall be deemed to have come into force on such date not earlier than the first day of May, 1995, as the State Government may, by notification in the *Official Gazette*, appoint, and different dates may be appointed for different provisions of this Act.

Application of Act 2 of 1899.

2. (1) The Indian Stamp Act, 1899 (hereinafter referred to as the principal Act) shall, in its application to West Bengal, be amended for the purpose and in the manner hereinafter provided.

Amendment of Schedule 1A.

(2) In Schedule 1A to the principal Act, for article 23, the following article shall be substituted:—

23. Conveyance [as defined by section 2(10)], not being a transfer charged or exempted under No. 62.	five *per centum* of the market value.

Exemptions.

(a) Assignment of copyright by entry made under the Copyright Act, 1957, section 18. — 14 of 1957.

(b) Co-partnership Deed. *See* partnership (No. 46).".

Amendment of Ben Act X of 1935.

3. In the Bengal Electricity Duty Act, 1935,—

(1) for section 3A, the following section shall be substituted:—

'Assessment of electricity duty payable by a licensee or a person required to furnish return under section 6

3A. (1) If no return in respect of any period is submitted by a licensee or a person required to submit return under section 6 or if the return submitted by such licensee or person appears to the authority prescribed by rules under this Act to be incorrect or incomplete, such authority shall, after giving such licensee or person, as the case may be, a reasonable opportunity of being heard, proceed in such manner as may be prescribed to assess to the best of his judgment the amount of electricity duty payable under this Act by such licensee or person.

(2) The amount of electricity duty assessed under sub-section (1) for a period, less the sum, if any, already paid in respect of the said period, shall be paid by the licensee or the person by such date as may be specified in a notice issued by the authority in this behalf, and the date to be so specified shall be ordinarily not less than thirty days from the date of service of such notice.

(3) No assessment under this section shall be made—

(a) after the expiry of four years, from the end of the year comprising the period or periods in respect of which the assessment is made, or

(b) after the 31st day of December, 1998, whichever is later.

Explanation.—For the purpose of this section, "year" means the year commencing on the first day of April and ending on the last day of March.';

(2) after section 7C, the following section shall be inserted:—

"Revision by Appellate and Revisional Board.

7D. (1) Any licensee or person objecting to an order passed under section 7C may apply for revision of such order to the West Bengal Commercial Taxes Appellate and Revisional Board constituted under section 6 of the West Bengal Sales Tax Act, 1994 (hereinafter referred to as the Appellate and Revisional Board) within sixty days of the date on which such order is communicated to him or within such further period as may be allowed by the Appellate and Revisional Board for reasons shown to its satisfaction. — West Ben. Act XLIX of 1994.

The West Bengal Finance Bill, 1996.

(Clause 3.)

(2) The provisions of section 6 referred to in sub-section (1) and the rules and the regulations made thereunder shall apply *mutatis mutandis* in the matter of submission of application for revision made under this section and disposal thereof.";

(3) in section 8,—

(a) after the words "electricity duty", the words "or interest" shall be inserted;

(b) after clause (b), the following clause shall be inserted:—

"(c) in the case of interest, from the licensee liable to pay such interest under section 5A.";

(4) after section 8, the following section shall be inserted:—

'Special mode of recovery

8A. (1) Notwithstanding any proceeding being initiated under section 8 for recovery of any amount of electricity duty, the authority prescribed under section 3A (hereinafter referred to as the said authority) may, at any time or from time to time, by notice in the prescribed form, require any person from whom money is due or may become due to a defaulter or any person who holds or may subsequently hold money for, or on account of, such defaulter, to deposit into a Government Treasury or the Reserve Bank of India under the appropriate head of account, either forthwith upon the money becoming due or being held or at or within the time specified in the notice (not being before the money becomes due or is held), so much of the money as is sufficient to pay the amount due from such defaulter in respect of the arrears of such electricity duty and interest, if any, or the whole of the money when such money is equal to or less than that amount.

(2) A notice under this section may be issued to any person who holds or may subsequently hold any money for, or on account of, the defaulter jointly with any other person, and for the purposes of this section, the shares of the joint-holders in such account shall be presumed, until the contrary is proved, to be equal.

(3) A copy of the notice shall be forwarded to the defaulter at his last address known to the said authority and, in the case of a joint account, to all the joint-holders at their last addresses known to the said authority.

(4) Save as otherwise provided in this section, every person to whom a notice is issued under this section shall be bound to comply with such notice, and, in particular, where any such notice is issued to a post office, banking company or insurer, it shall not be necessary for any pass book, deposit receipt, policy or any other document to be produced for the purpose of any entry, endorsement or the like being made before payment is made, notwithstanding any rule, practice or requirement to the contrary.

(5) Any claim respecting any money, which is due or to become due or is being held or may subsequently be held and in relation to which a notice under this section has been issued, arising after the date of such notice, shall be void as against any demand contained in such notice.

(6) Where a person to whom a notice sent under this section proves to the satisfaction of the said authority that the sum demanded or any part thereof is not due to the defaulter or that he does not hold any money for, or on account of, the defaulter or that the money demanded or any part thereof is not likely to be due to the defaulter or be held for, or on account of, the defaulter, then, nothing contained in this section shall be deemed to require such person to deposit any such sum or part thereof, as the case may be.

The West Bengal Finance Bill, 1996.

(Clauses 4-6.)

(7) The said authority may, at any time or from time to time, amend or revoke any notice issued under this section or extend the time for making any payment in pursuance of such notice.

(8) The Government Treasury or the Reserve Bank of India shall grant a receipt for any amount paid in compliance with a notice issued under this section, and the person so paying the amount shall be fully discharged from his liability to the defaulter to the extent of the amount so paid.

(9) Any person discharging any liability to the defaulter after receipt of a notice under this section shall be personally liable to the said authority to the extent of his own liability to the defaulter so discharged or to the extent of the liability of such defaulter any amount due under this Act, whichever is less.

(10) If the person to whom a notice under this section is sent fails to make payment in pursuance thereof, he shall be deemed to be a defaulter in respect of the amount specified in the notice, and further proceedings may be taken against him for the recovery of the amount as if it were an arrear due from him, and the notice shall have the same effect as attachment of a debt.

(11) The said authority may apply to the court in whose custody there is money belonging to the defaulter for payment to him of the entire amount of such money or, if it is more than the amount of electricity duty or interest due, an amount sufficient to discharge the liability of the amount of electricity duty or interest:

Provided that any dues exempt from attachment in execution of a decree of a Civil Court under section 60 of the Code of Civil Procedure, 1908, shall be exempt from any payment required to be made under this section. 5 of 1908.

Explanation.—For the purposes of this section, a "defaulter" means a licensee or a person who fails to make full payment of the amount of electricity duty due from him on assessment under section 3A or the amount of interest due from a licensee on determination under section 5A.'.

Amendment of Ben. Act IV of 1944

4. In the Bengal Agricultural Income-tax Act, 1944,—

(1) in section 7,—

(a) sub-section (1) of section 7 shall be renumbered as section 7;

(b) sub-section (2) shall be omitted;

(2) in the Schedule, for paragraph B, the following paragraph shall be substituted:—

"B. In the case of every domestic company, firm or other association of persons—

	Rate of tax
on the whole of the total agricultural income.	50 paise in the rupee,".

Amendment of West Ben. Act XLIII of 1973.

5. In the West Bengal Primary Education Act, 1973, in section 78, in sub-section (2), in clause (b), for the words "five *per centum*" the words "seven *per centum*" shall be substituted.

Amendment of West Ben. Act XIV of 1976

6. In the West Bengal Rural Employment and Production Act, 1976, in section 4, in sub-section (2), in clause (b), for the words "thirty-five *per centum*", the words "thirty-eight *per centum*" shall be substituted.

The West Bengal Finance Bill, 1996.

(Clause 7.)

Amendment of West Ben. Act VI of 1979.

7. In the West Bengal State Tax on Professions, Trades, Callings and Employments Act, 1979,—

(1) in section 5,—

(a) for sub-section (4), the following sub-section shall be substituted:—

"(4) (a) Every employer required to obtain a certificate of registration shall, within ninety days of his becoming liable to pay tax, apply for a certificate of registration to the prescribed authority in the prescribed form, and the prescribed authority shall, after making such enquiry as may be necessary, within thirty days of the receipt of the application, grant him such certificate, if the application is in order.

(b) Every person referred to in sub-section (2) or sub-section (3) shall, within ninety days of his becoming liable to pay tax, pay into the Government Treasury or the Reserve Bank of India, Calcutta, the tax payable by him under this Act and apply for a certificate of enrolment to the prescribed authority in the prescribed form along with a receipted copy of the challan as a proof of payment of such tax.

(c) The prescribed authority, within thirty days of the receipt of the application referred to in clause (b), shall, grant the person a certificate of enrolment in the prescribed manner.

(d) The prescribed authority may from time to time amend any certificate of registration or a certificate of enrolment in the prescribed manner when a registered employer or enrolled person applies to the prescribed authority in the prescribed form for such amendment.";

(2) to section 8, the following proviso shall be inserted:—

"Provided that the enrolled person, who has made payment of tax according to clause (b) of sub-section (4) of section 5 in respect of any year, shall not make any payment of tax under this section for such year if the rate of tax at which such tax was payable for such year remains unchanged.";

(3) in the Schedule,—

(1) for the entries in column 2, and column 3 against serial No. 1, the following entries in column 2 and column 3 shall be substituted:—

"Salary and wage earners. Such persons whose monthly salaries or wages are—

(i)	Rs. 1250 or less	NIL
(ii)	Rs. 1251 or more, but less than Rs. 1501	Rs. 12 per month.
(iii)	Rs. 1501 or more, but less than Rs. 2001	Rs. 18 per month.
(iv)	Rs. 2001 or more, but less than Rs. 3001	Rs. 25 per month.
(v)	Rs. 3001 or more, but less than Rs. 5001	Rs. 30 per month.
(vi)	Rs. 5001 or more, but less than Rs. 8001	Rs. 40 per month.
(vii)	Rs. 8001 and above	Rs. 75 per month.";

(2) for the entries in column 2, after the words "Where the annual gross income of the persons mentioned above is—", in the said column, and the corresponding entries in column 3, against serial No. 2, the following entries in column 2 and column 3 shall be substituted:—

"(i)	Rs. 15000 or less	NIL
(ii)	Rs. 15001 or more, but less than Rs. 18001	Rs. 144 per annum.
(iii)	Rs. 18001 or more, but less than Rs. 24001	Rs. 216 per annum.
(iv)	Rs. 24001 or more, but less than Rs. 36001	Rs. 300 per annum.
(v)	Rs. 36001 or more, but less than Rs. 60001	Rs. 360 per annum.
(vi)	Rs. 60001 or more, but less than Rs. 96001	Rs. 480 per annum.
(vii)	Rs. 96001 and above	Rs. 900 per annum.";

(3) for the entries in column 2, after the words "Where the annual gross income of the persons mentioned above is—", in the said column, and the corresponding entries in column 3, against serial No. 3, the following entries in column 2 and column 3 shall be substituted:—

"(i)	Rs. 15000 or less	NIL
(ii)	Rs. 15001 or more, but less than Rs. 18001	Rs. 144 per annum.
(iii)	Rs. 18001 or more, but less than Rs. 24001	Rs. 216 per annum.
(iv)	Rs. 24001 or more, but less than Rs. 36001	Rs. 300 per annum.
(v)	Rs. 36001 or more, but less than Rs. 60001	Rs. 360 per annum.
(vi)	Rs. 60001 or more, but less than Rs. 96001	Rs. 480 per annum.
(vii)	Rs. 96001 and above	Rs. 900 per annum.".

The West Bengal Finance Bill, 1996.

(Clauses 8, 9.)

Amendment of West Ben Act XV of 1994

8. In the West Bengal Luxury Tax Act, 1994, in the Schedule, after serial No. 5 and the entry relating thereto, the following serial No. and entry relating thereto shall be inserted:—

"6. Mill-made textile fabrics priced at Rs. 1,000 or more per metre.".

Amendment of West Ben Act XLIX of 1994

9. In the West Bengal Sales Tax Act, 1994,—

(1) in section 2, clause (12) shall be omitted;

(2) in section 9, in sub-section (3),—

(a) in clause (a), for the figures "20,000", the figures "30,000" shall be substituted;

(b) in clause (c), for the figures "50,000", the figures "1,00,000" shall be substituted;

(c) in clause (e), for the figures "2,00,000", the figures "5,00,000" shall be substituted;

(3) in section 16, for the proviso, the following provisos shall be substituted:—

"Provided that there shall not be any levy of surcharge on tax payable by a dealer under clause (a), clause (b), and clause (c), of sub-section (2) of section 17:

Provided further that the aggregate of the amount of tax and surcharge payable by any dealer on the sale of goods referred to in section 14 of the Central Sales Tax Act, 1956, shall not exceed the rate specified in section 15 of that Act."; 74 of 1956.

(4) in section 17,—

(a) in sub-section (1),—

(i) for the word, figure and brackets "sub-section (2),", the words, figures, letter and brackets "sub-section (2) or sub-section (2A), as the case may be," shall be substituted;

(ii) after clause (g), the following clause shall be inserted:—

"(gg) at the rate fixed in column (3), against the corresponding entry of goods in column (2), of Schedule VIIIA on such part of his taxable turnover of sales as represents sales of any such goods;";

(b) in sub-section (2),—

(i) clause (i) shall be omitted;

(ii) in the first proviso, for the words, letter and brackets "the provisions of clause (a)", the words, letters, figure and brackets ",except such sales referred to in sub-clause (i) of clause (a) as may be prescribed, the provisions of clause (a)" shall be substituted;

(iii) in the second proviso, for the words, letter and brackets "the provisions of clause (b)", the words, letters, figure and brackets ",except such sales referred to in sub-clause (i) of clause (b) as may be prescribed, the provisions of clause (b)" shall be substituted;

(iv) the third proviso shall be omitted;

(c) after sub-section (2), the following sub-section shall be inserted:—

"(2A) Notwithstanding the rate of tax fixed under clause (gg) of sub section (1), in column (3), against the corresponding entry of goods in column (2), of Schedule VIIIA, the tax payable by a dealer shall be levied on such part of his taxable turnover of sales as represents sales of such goods, other than those referred to in sub-clause (c) of clause (30) of section 2, at the rate of tax fixed in column (4), against the corresponding entry of goods in column (2), of the said Schedule, where he proves to the satisfaction of the Commissioner that such goods have been purchased by him in West Bengal on or after the date on which such goods are specified in such Schedule from a registered dealer and furnishes in the prescribed manner a declaration containing prescribed particulars in the prescribed

The West Bengal Finance Bill, 1996.

(Clause 9.)

form, obtainable in such manner and subject to such conditions and restrictions as may be prescribed, from the prescribed authority, duly filled up and signed by the registered dealer from whom such goods are purchased.";

(5) section 19 shall be omitted;

(6) in section 26,—

(a) sub-section (3) shall be omitted;

(b) sub-section (4) shall be omitted;

(7) in section 27, in sub-section (1), for the words "ten thousand", the words "twenty-five thousand" shall be substituted;

(8) in section 31,—

(a) in sub-section (1), for the words "two *per centum*", the words "three *per centum*" shall be substituted;

(b) in sub-section (2), for the words "two *per centum*", the words "three *per centum*" shall be substituted;

(9) in section 32, in sub-section (1), for the words "two *per centum*" , the words "three *per centum*" shall be substituted;

(10) in section 34, for the words "two *per centum*" , the words "three *per centum*" shall be substituted;

(11) in section 40,—

(a) for the second proviso to sub-section (1), the following proviso shall be substituted:—

"Provided further that the period prescribed in this sub-section and sub-section (2), may, subject to such conditions and restrictions as may be prescribed,—

(i) be extended by two years in the case of such industrial units as may be prescribed, where investment in fixed capital assets exceeds one hundred crore rupees, or

(ii) be extended by such period, not exceeding one year, in the case of such industrial units, as may be prescribed, where pollution abatement measures are adopted.";

(b) in sub-section (2), the words, figure and brackets "or eleven years in the case of the industrial units referred to in the second proviso to sub-section (1)," shall be omitted;

(c) to sub-section (3), the following proviso shall be added:—

"Provided that the amount eligible for deferment of payment of tax in the case of industrial units which have adopted pollution abatement measures, may be enhanced to such extent and subject to such restrictions and conditions as may be prescribed.";

(d) in sub-section (8), for the words "two *per centum*", the words "three *per centum*" shall be substituted;

(e) in the *Explanation*, in clause (d),—

(i) in sub-clause (i), after the words "productive equipment,", the words "or pollution control equipments," shall be inserted;

(ii) in sub-clause (ii), after the words "productive equipment,", the words "or pollution control equipments," shall be inserted;

(12) in section 41, in sub-section (1), for the third proviso, the following provisos shall be substituted:—

"Provided also that the period prescribed under the first proviso may, subject to such conditions and restrictions as may be prescribed,—

(i) be extended by two years in the case of such industrial units as may be prescribed, where investment in fixed capital assets exceeds one hundred crore rupees, or

The West Bengal Finance Bill, 1996.

(Clause 9.)

(ii) be extended by such period, not exceeding one year, in the case of such industrial units, as may be prescribed, where pollution abatement measures are adopted:

Provided also that the amount eligible for deferment of payment of tax in the case of industrial units which have adopted pollution abatement measures, may be enhanced to such extent and subject to such restrictions and conditions as may be prescribed.";

(13) in the *Explanation* to section 42, after the words "productive equipments", wherever they occur, the words "and pollution control equipments" shall be inserted;

(14) in the *Explanation* to section 43, after the words "productive equipments" in the two places where they occur, the words "and pollution control equipments" shall be inserted;

(15) in section 52, in sub-section (10), for the words "two *per centum*", the words "three *per centum*" shall be substituted;

(16) in section 66, after the words "accounts, registers or documents of the dealer", wherever they occur, the words "including computerised or electronic accounts maintained on any computers or electronic media" shall be inserted;

(17) in section 96,—

(a) in the marginal note, for the words "by transporter,", the words "by dealer, transporter," shall be substituted;

(b) after the words "every person", the words "dealing in," shall be inserted;

(18) after section 98, the following section shall be inserted:—

"Information to be furnished by dealers in respect of transfer of goods otherwise than by way of sale.

98A. If, in the opinion of the State Government, it is necessary to obtain information relating to transfer of goods otherwise than by way of sale in West Bengal, it may, by notification, call upon dealers or such class or classes of dealers as may be specified in the notification to furnish such information relating to such goods, in such manner, at such intervals, for such period and to such authority, as may be specified in the notification.";

(19) in Schedule I,—

(a) after serial No. 4 in column (1) and the entry relating thereto in column (2), the following serial No. and entry relating thereto shall be inserted in column (1) and column (2) respectively:—

"4A. Biscuit other than biscuit manufactured, made or processed in a factory as defined in the Factories Act, 1948."; 63 of 1948.

(b) for serial No. 22 in cloumn (1) and the entry relating thereto in column (2), the following serial No. and entry relating thereto in column (1) and column (2) shall be substituted:—

"22. Contraceptive device and contraceptive articles of any name and description, such as condom, contraceptive pill, contraceptive jelly and the like.";

(c) after serial No. 24 in column (1) and the entry relating thereto in column (2), the following serial No. in column (1) and entry relating thereto in column (2) shall be inserted:—

"24A. Cervical spinal collar, brace and orthose, hand splint and fracture brace.";

(d) after serial No. 28 in column (1) and the entry relating thereto in column (2), the following serial No. in column (1) and entry relating thereto in column (2) shall be inserted:—

The West Bengal Finance Bill, 1996.

(Clause 9.)

"28A. Colostomy or dialysis bag.";

(e) against serial No. 43 in column (1), in the entry relating thereto in column (2), after the words "kerosene lamp", the words "and accessories and components thereof" shall be inserted;

(f) after serial No. 49 in column (1) and the entry relating thereto in column (2), the following serial No. in column (1) and entry relating thereto in column (2) shall be inserted:—

"49A. Life-saving diving equipments.";

(20) in Schedule II,—

(a) against serial No. 3 in column (1), in the entry in column (2), after the word "descriptions", the words", but excluding coir carpets and jute carpets" shall be inserted;

(b) against serial No. 6 in column (1), the entry relating thereto in column (2) shall be omitted;

(c) against serial No. 13 in column (1), the entry relating thereto in column (2) shall be omitted;

(21) in Schedule III,—

(a) serial No. 4A in column (1) and the entry relating thereto in column (2) shall be omitted;

(b) against serial No. 13 in column (1), the entry relating thereto in column (2) shall be omitted;

(c) against serial No. 14 in column (1), the entry relating thereto in column (2) shall be omitted;

(d) after serial No. 14 in column (1) and the entry relating thereto in column (2), the following serial Nos. in column (1) and entries relating thereto in column (2) shall be inserted:—

"15. Fancy leather goods, that is to say, brief-case, attache-case, ornamented vanity-bag and hand-bag made of leather.

16. Vacuum cleaner";

(22) in Schedule IV,—

(a) for the entry in column (2) against serial No. 7 in column (1), the following entry shall be substituted:—

"7. Biscuits of all varieties, except those specified in any other Schedule.";

(b) for item (i) and the entry relating thereto in column (2) against serial No. 24 in column (1), the following item and entry relating thereto in column (2) shall be substituted:—

"(i) Drugs and medicines except those included in the goods specified elsewhere in this Schedule or in any other Schedule.";

(c) after serial No. 26 in column (1) and the entry relating thereto in column (2), the following serial No. in column (1) and entry relating thereto in column (2) shall be inserted:—

"26A. Electric fan, exhaust fan and air circulator.";

(d) against serial No. 34 in column (1), the entry relating thereto in column (2) shall be omitted;

(e) for serial No. 37 in cloumn (1) and the entry relating thereto in column (2), the following serial No. in column (1) and entry relating thereto in column (2) shall be substituted:—

"37. Groundnut oil, soyabean oil, sunflower oil, *sesamum* or *til* oil, rice bran oil and any other vegetable oil, but excluding those vegetable oils included in the goods specified elsewhere in this Schedule or in any other Schedule.";

The West Bengal Finance Bill, 1996.

(Clause 9.)

(f) against serial No. 39 in column (1), in the entry in column (2), after the words "including ice-candy", the words "and frozen dessert" shall be inserted;

(g) serial No. 51 in column (1) and the entry relating thereto in column (2) shall be omitted;

(h) after serial No. 55 in column (1) and the entry relating thereto in column (2), the following serial No. and entry relating thereto shall be inserted in column (1) and column (2) respectively:—

"55A. Plant growth promoters and plant nutrients.";

(i) against serial No. 78 in column (1), the entry relating thereto in column (2) shall be omitted;

(j) after serial No. 81 in column (1) and the entry relating thereto in column (2), the following serial No. and entry relating thereto shall be inserted in column (1) and column (2) respectively:—

"81A. Vacuum flasks of all kinds and descriptions including refills for such flasks and other thermally insulated flasks, containers and vessels including thermoses, thermic jugs, ice buckets or boxes, urns and receptacles to keep food or beverage or other articles, hot or cold, and components and accessories thereof";

(23) in Schedule V, against serial No. 2 in column (1), the entry relating thereto in column (2) shall be omitted;

(24) in Schedule VI,—

(a) in serial No. 2 in column (1), in the entry relating thereto in column (2), after the words "*Hawai Chappal*,", the words "*chappals* and sandals made of polyvinyl chloride (P.V.C.) or plastic," shall be inserted;

(b) after serial No. 3 in column (1) and the entry relating thereto in column (2), the following serial Nos. in column (1) and entries relating thereto in column (2) shall be inserted:—

"4. Chemicals including naptha, caustic soda, paraffin, dyes, hydrogen peroxide, industrial gas and solvent oils, but excluding those specified in this Schedule or in any other Schedule.

5. Bamboo and cane.

6. Dolomite.

7. Limestone.

8. Calculator.

9. Gymnasium apparatues and sports goods except those specified in any othe Schedule.";

(25) in Schedule VII,—

(a) in serial No. 2 in column (1), in the entry relating thereto in column (2), after the words "Jute goods", the words "except those specified in this Schedule or in any other Schedule" shall be inserted;

(b) after serial No. 4 in column (1) and the entry relating thereto in column (2), the following serial Nos. and entries relating thereto shall be inserted in column (1) and column (2) respectively:—

"5. Articles made of coir except those specified in this Schedule or in any other Schedule.

6. Coir carpet and jute carpet.

7. Pollution control equipments.";

(26) in Schedule VIII,—

(a) in serial No. 12 in column (1), in the entry relating thereto in column (2) after the words "*Hawai Chappal*", the words, *chappals* and sandals made of polyvinyl chloride (P.V.C.) or plastic" shall be inserted;

The West Bengal Finance Bill, 1996.

(Clause 9.)

(b) after serial No. 18 in column (1) and the entries relating thereto in column (2) and column (3), the following serial Nos. and entries relating thereto shall be inserted in column (1), column (2) and column (3) respectively:—

"19.	Toys other than toys, whether electronic or not, specified in any other Schedule.	Ten
20.	Printed materials.	Ten.";

(27) after Schedule VIII, the following Schedule shall be inserted:—

"SCHEDULE VIIIA

[*See* section 17(1) (gg) and section 17(2A).]

Goods on sale of which tax is leviable at the rate fixed in column (3), or in column (4) when provisions of section 17(2A) apply, against the corresponding entry of such goods in column (2), of this Schedule

Serial No.	Description of goods	Rates of tax (*per centum*) [*See* section 17(1)(gg)]	Rate of tax (*per centum*) [*See* section 17(2A)]
(1)	(2)	(3)	(4)
1.	Clocks, time-pieces and watches of all types and parts thereof.	Seven	Two
2.	Furniture, almirahs, and safes, made wholly or principally of aluminium, stainless steel, iron and steel.	Fifteen	Four
3.	Paints or all kinds including acrylic and plastic emulsion paints, lacquers, distempers, cement colours or paints, enamels, liquid paints, stiff paste paints and powder paints, whether ready for use or not.	Twelve	Three
4.	Varnishes, vegetable paint removers and stainers of all kind.	Twelve	Three.";

(28) in ScheduleX,—

(a) in rule 5, in clause (a), for the words "two *per centum*", the words "three *per centum*" shall be substituted;

(b) in rule 60, in sub-rule (1), in column (a), for the words "twenty-four *per centum*", the words "thirty-six *per centum*" shall be substituted;

(c) in rule 64, for the words "twenty-four *per centum*", the words "thirty-six *per centum per annum*" shall be substituted;

(d) in rule 69, in sub-rule (3), for the words "twenty-four *per centum*", the words "thirty-six *per centum*" shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

The Bill seeks to amend the following eight principal Acts:—

(i) The Indian Stamp Act, 1899, in its application to West Bengal.

The amendment seeks to reduce the rate of stamp duty for registration of conveyance from the present rate of ten *per cent* to five *per cent* of the market value of a property.

(ii) The Bengal Electricity Duty Act, 1935.

(a) The licensees who are liable to pay electricity duty under the Act have been brought under the purview of assessment of such duty by incorporating suitable provisions in the Act.

(b) The present amendment seeks to incorporate the special mode of recovery through *garnishee* proceedings of the amounts of electricity duty or interest remaining unpaid after assessment of such duty or after determination of such interest.

(c) Scope of revision against appellate orders relating to assessment of electricity duty or determination of interest has been provided for the licensees or persons required to submit return under the Act and such revisional authority has been vested with the Appellate and Revisional Board constituted under the West Bengal Sales Tax Act, 1994.

(iii) The Bengal Agricultural Income Tax Act, 1944.

The provision for giving allowance to an assessee from his total agricultural income in respect of the amounts utilized for the purposes specified in the industrial development scheme framed by the State Government is sought to be withdrawn as a lower single rate of tax, in place of the existing two higher rates of tax in the case of domestic company, firm or other association of persons, has now been made and as a result, the tea industry would be getting substantial relief.

(iv) The West Bengal Primary Education Act, 1973.

The provision seeks to enhance the rate of cess on coal-bearing land.

(v) The West Bengal Rural Employment and Production Act, 1976.

The provision seeks to enhance the rate of cess on coal-bearing land.

(vi) The West Bengal State Tax on Professions, Trades, Callings and Employments Act, 1979.

The amendments proposed are meant for (a) simplification of the procedure for obtaining enrolment certificate and (b) raising the exemption limit for certain categories of persons liable to pay profession tax.

(vii) The West Bengal Luxury Tax Act, 1994.

The amendment seeks to enlarge the ambit of luxuries under the Act.

(viii) The West Bengal Sales Tax Act, 1994.

The provision seeks—

(a) to raise the taxable quantum for registration under the Act in the case of importers of goods, manufacturers and resellers;

(b) to abolish levy of surcharge on tax payable in respect of sales to registered dealers where concessional rates of tax are available both for the purposes of resale or manufacturing;

(c) to bring certain items which will be taxed at the first point and subsequent sales of such items would attract tax at a lower rate. Provision is also made to dispense with the requirement of declaration forms in respect of sales of tea in auction;

(d) to omit the scheme of presumptive tax for small dealers as the taxable quantum relating to liability to pay sales tax has been raised, and consequential amendments are sought to be made in respect of discontinuance of the scheme of presumptive tax;

(e) to increase the minimum limit of sale of dealers for the purpose of becoming eligible for voluntary registration under the Act;

(f) to increase the rate of interest leviable for delayed payment of tax by dealers beyond prescribed dates;

(g) to extend the benefit of deferment of payment of tax or remission of tax to industrial units for introducing pollution abatement measures by such units;

(h) to include within the meaning of accounts computerised or electronic accounts maintained on any computer or electronic media for dealers who maintain such accounts;

(i) to include dealers in the matter of furnishing statement of sales of goods as and when required where there is scope of appreciable evasion of tax on sales of such goods;

(j) to incorporate in the Act matters in respect of furnishing information of dealers relating to transfer of goods otherwise than by way of sale in West Bengal;

(k) to extend exemption from payment of tax on sale of goods to certain more items;

(l) to make amendments in the Schedules relating to rates of tax for the purposes of revising the existing rates of tax on the lower side on certain goods and bringing certain items under the scheme of single-point levy of tax and to incorporate provisions clarificatory in nature.

CALCUTTA,
The 21st June, 1996.

ASIM KUMAR DASGUPTA,
Member-in-charge.

FINANCIAL MEMORANDUM.

No additional expenditure is envisaged to give effect to the provisions of the Bill.

CALCUTTA,
The 21st June, 1996.

ASIM KUMAR DASGUPTA,
Member-in-charge.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-26

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 3] MONDAY, JUNE 24, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1124 -L.—24th June, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 24 of 1996

THE WEST BENGAL MINORITIES' COMMISSION BILL, 1996.

A
BILL

to constitute a Minorities' Commission to study and suggest additional social, economic, educational and cultural requirements of religious and linguistic minorities of West Bengal with a view to equipping them to preserve secular traditions of West Bengal and to promote national integration.

WHEREAS it is expedient to constitute a Minorities' Commission to study and suggest additional social, economic, educational and cultural requirements of religious and linguistic minorities of West Bengal with a view to equipping them to preserve secular traditions of West Bengal and to promote national integration;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the West Bengal Minorities' Commission Act, 1996.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date as the State Government may, by notification, apppoint.

The West Bengal Minorities' Commission Bill, 1996.

(Clauses 2-4.)

Definitions

2. In this Act, unless the context otherwise requires,—
(a) "Commission" means the West Bengal Minorities' Commission constituted under section 3;
(b) "Member" means a Member of the Commission;
(c) "Minority", for the purpose of this Act, means a community based on religion such as Muslim, Christian, Sikh, Buddhist, or Zoroastrian (Parsee), and includes—
(i) such other minority as the Central Government may notify under clause (c) of section 2 of the National Commission for Minorities Act, 1992, or 19 of 1992.
(ii) such other minority based on language within the purview of article 29 of the Constitution of India (hereinafter referred to as the Constitution) as the State Government may, by notification, specify from time to time;
(d) "notification" means a notification published in the *Official Gazette*;
(e) "prescribed" means prescribed by rules made under this Act.

Constitution of the Commission.

3. (1) The State Government shall constitute a body to be known as the West Bengal Minorities' Commission to exercise the powers conferred on, and to perform the functions assigned to, it under this Act.

(2) The Commission shall consist of the following Members:—
(a) a Chairperson, who shall be a person of public eminence, to be nominated by the State Government,
(b) a Vice-Chairperson to be nominated by the State Government,
(c) a Member-Secretary,
(d) the Secretary, Minorities' Development and Welfare Department, Government of West Bengal, *ex officio*,
(e) a representative of the West Bengal Minorities Development and Finance Corporation, *ex officio*, and
(f) such number of other members from amongst persons of public eminence, not exceeding five, of whom one shall be a woman, as the State Government may nominate:

Provided that at least five members, one of whom shall be a woman, shall be from amongst the notified minority communities.

Functions of the Commission

4. The Commission shall perform the following functions:—
(a) evaluate the progress of the development of minorities of West Bengal and review implementation of the policies and programme of the State Government;
(b) monitor the working of the safeguards provided in the Constitution and in laws enacted by Parliament or the State Legislature;
(c) make recommendations for the effective enforcement and implementation of safeguards for the protection of the interests of minorities provided by the Central Government or the State Government;
(d) look into specific complaints regarding deprivation of social, economic, educational, cultural and linguistic rights and safeguards of the minorities and take up such matters with the appropriate authorities;
(e) recommend to the State Government to accord minority status to religious, linguistic and ethnic groups, provided such groups do not enjoy any constitutional or statutory benefits or status;
(f) cause studies to be undertaken into problems arising out of any discrimination against minorities and recommend measures for their removal;
(g) conduct studies, research and analysis on the issues relating to socio-economic and educational development of minorities;
(h) make annual report to the State Government on any matter pertaining to any of the functions of the Commission under this section.

The West Bengal Minorities' Commission Bill, 1996.

(Clauses 5-10.)

Term of office and conditions of service of Chairperson, Vice-Chairperson, Members and Member-Secretary

5. (1) The Chairperson, Vice-Chairperson and every Member shall hold office for a term of three years from the date he assumes office.

(2) The Chairperson, Vice-Chairperson or a Member may, at any time, by writing under his hand addressed to the State Government, resign from the office of the Chairperson, Vice-Chairperson or Member, as the case may be.

(3) A person shall be disqualified for being chosen as, and for being, a Member of the Commission—

(a) if he is a lunatic or a person of unsound mind, or
(b) if he has been adjudged insolvent, or
(c) if he has been convicted of an offence involving moral turpitude, or
(d) if he refuses to act or becomes incapable of acting, or
(e) if he is, without obtaining leave of absence from the Commission, absent from three consecutive meetings of the Commission, or
(f) if he has, in the opinion of the State Government, so abused the position of Chairperson, Vice-Chairperson or Member as to render that person's continuance in office detrimental to the interests of minorities or the public interest:

Provided that no person shall be removed under this clause until that person has been given a reasonable opportunity of being heard in the matter.

(4) A vacancy caused under sub-section (2) or otherwise shall be filled up by fresh nomination.

(5) The Member-Secretary shall be entitled to such pay and allowances as the State Government may determine.

Procedure to be regulated by the Commission

6. (1) The headquarters of the Commission shall be in Calcutta.

(2) The Commission shall meet as and when necessary at such time and place as the Commission thinks fit.

(3) The Commission shall make rules to regulate its own procedure.

(4) All orders and decisions of the Commission shall be authenticated by the Member-Secretary or any other officer of the Commission duly authorised by the Member-Secretary in this behalf.

Member-Secretary

7. The Member-Secretary shall be whole-time, and shall be appointed by the State Government.

Officers and other employees of the Commission

8. (1) (a) The State Government shall, in consultation with the Commission, provide it with such officers and other employees, on deputation, as may be necessary for efficient performance of the functions of the Commission.

(b) Notwithstanding anything contained in clause (a), the posts of officers and other employees of the Commission shall be created and filled up with the prior approval of the State Government

(2) The salaries and allowances payable to, and the other terms and conditions of service of, the officers and other employees of the Commission, other than those who are on deputation, shall be such as may be prescribed by the Commission in consultation with the Government.

Salaries and allowances to be paid out of grants

9. The allowances payable to the Chairperson, Vice-Chairperson and Members and the administrative expenses including salaries, allowances and pensions payable to the officers and other employees referred to in section 7 and section 8, shall be paid out of the grants referred to in sub-section (1) of section 10.

Grants by the State Government

10. (1) The State Government shall, after due appropriation made by the State Legislature by law in this behalf, pay to the Commission by way of grants such sums of money as the State Government may think fit for being utilised for the purposes of this Act.

(2) The Commission may spend such sums as it thinks fit for performing the functions under this Act, and such sums shall be treated as expenditure payable out of the grants referred to in sub-section (1).

The West Bengal Minorities' Commission Bill, 1996.

(Clauses 11-15.)

Accounts and audit.

11. (1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed in consultation with the Accountant-General, West Bengal.

(2) The annual accounts of the Commission shall be audited by the Accountant-General, West Bengal.

(3) The Accountant-General, West Bengal, shall have the same rights and privileges and the authority in connection with such audit as the Accountant-General, West Bengal, generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office of the Commission.

(4) The Commission shall forward to the State Government annually the accounts of the Commission as certified by the Accountant-General, West Bengal, together with the audit report thereon.

Annual report

12. (1) The Commission shall prepare for each financial year, in such form, and at such time, as may be prescribed, its annual report giving a full account of its activities during the previous financial year and forward a copy thereof to the State Government.

(2) An Accounts Officer of the State Government shall be placed at the disposal of the Commission by the State Government for ensuring compliance with the provisions of section 11 and sub-section (1) of this section.

Chairperson, Vice-Chairperson, Members and staff of the Commission to be public servants

13. The Chairperson, Vice-Chairperson, Members and employees of the Commission shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860

Power to make rules

14. (1) The State Government may, by notification, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters:—

(a) allowances payable to, and the other terms and conditions of service and facilities of, the Chairperson, Vice-Chairperson and Members, and of officers and other employees, under sub-section (1) of section 9;

(b) the form in which the annual statement of accounts shall be maintained under sub-section (1) of section 11;

(c) the form in which, and the time at which, the annual report shall be prepared under sub-section (1) of section 12;

(d) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modification in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to remove difficulties

15. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the *Official Gazette*, make provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty.

The West Bengal Minorities' Commission Bill, 1996.

(Clauses 16, 17.)

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

Repeal, saving and validation.

16. (1) The resolution made under notification No. 84-P.M., dated the 14th July, 1994, read with the resolution made under notification No. 178-P.M., dated the 13th September, 1995, by the State Government constituting the West Bengal Minorities' Commission (hereinafter referred to as the former Commission) is hereby repealed.

(2) Upon such repeal,—

(a) all property and assets under the control of the former Commission and all rights, liabilities and obligations acquired or incurred by the former Commission before the commencement of this Act shall vest in the Commission in accordance with such order as the State Government may make in this behalf;

(b) all legal proceedings or remedies instituted or enforceable by or against the former Commission before the commencement of this Act may be continued or enforced, as the case may be, by or against the Commission as established under this Act or, until the Commission is so established, by or against such officer or authority as the State Government may by order specify;

(c) all officers and other persons in the employ of the former Commission immediately before the commencement of this Act shall, until other provision is made, continue in the service of the Commission.

Repeal.

17. The West Bengal Minorities' Commission Ordinance, 1996, is hereby repealed. West Ben. Ord. IV of 1996.

STATEMENT OF OBJECTS AND REASONS.

The socio-economic conditions of the notified minorities (Muslim, Christian, Buddhist, Sikh, Zoroastrian) and linguistic minorities in this State call for specialised attention and sustainable actions. The social, economic and educational aspirations of the minorities are to be reckoned in concretising Government policies, especially, in the light of the constitutional guarantees available to the minorities in the management of the educational institutions. A statutory arm of the Government is very essential to protect and enforce the guarantees provided for the minorities in the Constitution. Moreover, an independent body is expected to be better equipped to look into the grievances of religious, ethnic and linguistic minorities for enlistment. The Bill seeks to provide a broad-based statutory Commission to replace the current Commission which has been constituted by administrative Resolutions.

With a view to meeting the pressing demands of the notified religious minorities as also the linguistic minorities of West Bengal, the Bill seeks to provide for the setting up of West Bengal Minorities' Commission to study and suggest additional, social, economic, educational and cultural requirements and protections needed by religious and linguistic minorities of West Bengal to come to their own for preserving the secular traditions of West Bengal and to uphold national integration.

CALCUTTA,
The 20th June, 1996.

MOHAMMED AMIN,
Member-in-charge.

FINANCIAL MEMORANDUM.

The Bill provides that the State Government shall pay to the West Bengal Minorities' Commission grants for meeting the financial requirements to operationalise the functions enlisted in the Act. In addition to the above the salaries to the officers and employees of the Commission and of staff on deputation and the allowances payable to the Chairperson and Members and administrative expenses of the Commission also to be met from the grant-in-aid. The salary and facilities of the Member-Secretary are also to be met from this 'corpus'.

At present the State Government is arranging the fund from its budget provisions under the Budget head "2052-Secretariat-General Services-00-090-Secretariat-Non-Plan-3(A)-Home Department-West Bengal Minorities' Commission-Grants-in-Aid/ Contributions". During the fiscal year 1995-96 an amount to the tune of Rs. 37.40 lakhs has been provided for.

The financial liabilities that may fall on the State Government on account of implementation of the provisions of this Bill on its becoming law cannot be fully assessed at this stage before a thorough audit of accounts of the Commission and the final approval of the statutory functions of the Corporation. The State Government will have to bear the full financial liabilities as long as the Commission is in position.

CALCUTTA,
The 20th June, 1996.

MOHAMMED AMIN,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No.WB/DTP/Pt.I/CPS/96/1570

The Calcutta Gazette

Extraordinary

Published by Authority

ASADAHA 3] MONDAY, JUNE 24, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

Judicial Department

NOTIFICATION

No. 10140-J Dated, Calcutta the 19th June, 1996

In exercise of the power conferred by sub-section *(2)* read with sub-section *(1)*, of section 137 of the Code of Civil Procedure, 1908 (5 of 1908), the Governor is pleased hereby to declare, in supersession of this department notification No. 21008-J, dated the 31st July, 1989, that with effect from the 1st day of July, 1996, corresponding to the 16th Ashar, 1403 B.S., Bengali shall be the language of the Courts of Munsif in the districts of Hooghly, Birbhum and Malda and applications to and proceedings in the said Courts shall be written in Bengali character.

By order of the Governor,

P.K. Sengupta

Secy. to the Govt. of West Bengal.

Published by the Controller of Printing & Stationery, West Bengal and printed at DTP Press, 10 Rainey Park, Calcutta - 700 019

Registered No. WB/SC-247 No.WB/DTP/Pt.I/CPS/96/1571

The Calcutta Gazette

Extraordinary

Published by Authority

ASADAHA 3] MONDAY, JUNE 24, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

Judicial Department

NOTIFICATION

No. 10142-J Dated, Calcutta the 19th June, 1996

In exercise of power conferred by section 272 of the Code of Criminal Procedure, 1973 (2 of 1974), the Governor is pleased hereby to determine, in supersession of this department notification No. 21010-J, dated the 8th September, 1989, that for the purposes of the said Code, Bengali shall, with effect from the 1st day of July, 1996, corresponding to the 16th Ashar, 1403 B.S., be the language of the Courts of the Chief Judicial Magistrate, Sub-divisional Judicial Magistrate and Judicial Magistrate in the districts of Hooghly, Birbhum and Malda.

By order of the Governor,

P.K. Sengupta

Secy. to the Govt. of West Bengal.

Published by the Controller of Printing & Stationery, West Bengal and printed at DTP Press, 10 Rainey Park, Calcutta – 700 019

Registered No. WB/SC-247

WB/1129-LA/Spl/JPG/251/96

The Calcutta Gazette

Extraordinary

Published by Authority

ASHAR 10] **Tuesday 25th June, 1996** **[SAKA 1918**

PART I—Orders and notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

NOTICE

Jalpaiguri No. 1128/L.A./II (880) 18/96/I & W
Dated : 27. 2. 96 Case No. 52/91-92

Whereas 0.2104 hectares (0.52 Acres) more or less, of land situated in Mouza Patkata, have been requisitioned under Sub-Section (1) of section 3 of the West Bengal Land Requisition and Acquisition Act, 1948, (West Bengal Act-II of 1948) by the person authorised under section 3(1a) of the Act, for the public purpose of providing facilities for Irrigation and waterways, namely, for construction of Distributory No.—2 of Teesta Mahananda Link Canal.

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquired such Land being required for the public purpose as aforesaid.

This notice is given under the provisions of Sub-Section (1a) of Section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act-II of 1948), to all whom it may concern.

A Plan of the land may be inspected in the office of the Collector, Jalpaiguri, (Land Acquisition Section.)

DESCRIPTION OF THE LAND

Mouza—Patkata, P.S. Kotowali, Dist. Jalpaiguri
Sheet No.— 24 J. L. No. 5.

R. S. Plot in full :— Nil

R. S. Plot in part :—

Plot No.	Specific Portion of the Plot	Area in Acres	Area in Hectares
46	South East corner	0.52	.2104

By order of the Governor,
Sd/- S. C. Pahari
Deputy Secretary to the
Govt. of West Bengal

Published by the controller of Printing and stationery, West Bengal and printed by the District Magistrate, Jalpaiguri at Sree Durga Press, Jalpaiguri—500

Registered No. WB/SC-247 WB/1800-LA/JPG/252/96/3

The Calcutta Gazette

Extraordinary

Published by Authority

ASHAR 10] Tuesday 25th June, 1996 [SAKA 1917

PART-I—Orders and notifications by the Governor of West Bengal the High Court, Government Treasury etc.

NOTICE

Jalpaiguri No. 1799-L A./11(882)-20/96/I & W
Dated : 21. 3. 96 Case No. 10/89-90

Whereas 5.1840 hectares (12.81 acres) more or less of land situated in mouza Mandalghat, have been requisitioned under Sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act, II of 1948), by the person authorised under section 3 (1a) of the Act, for the public purpose of providing facilities for Irrigation and drainage, namely, for excavation of distributory No.—2 of Teesta Mahananda Link, Canal.

Now, therefore, notice is here by given that in pursuance of Section 4 of the Act. the Governor acquires such land being required for the public purpose as aforesaid.

This notice is given under the provision of Sub-section (1a) of section 4 of the West Bengal land (Requisition and Acquisition) Act-1948 (West Bengal Act-II of 1948) to all whom it may concern.

A plan of the land may be inspected in the office of the District Magistrate, Jalpaiguri, (Land Acquisition Deptt., Jalpaiguri.)

SCHEDULE OF LAND

Mouza—Mandalghat, J. L. No. 8, Sheet No. 4
P. S. Jalpaiguri, Dist. Jalpaiguri.

R. S. Plot in full :— 1081, 1233, 1247, 1248, 1238/1367, 1237/1368 and 1238/2257.

R. S. Plot in part :—

Plot No.	Specific portion of the Plot	Area in acres	Area in hectares
1080	Middle	0.44	0.1781
1082	Middle	0.26	0.1052
1168	Western	0.02	0.0081
1175	Middle	0.04	0.0162
1176	Middle	0.20	0.0809
1177	Middle	0.54	0.2185
1179	Middle	0.67	0.2711

Plot No.	Specific Portion of the Plot	Area in Acres	Area in Hectares	Plot No.	Specific Portion of the Plot	Area in Acres	Area in Hectares
1183	Middle	0.31	0.1255	1238	Western	0.06	0.0243
1184	Eastern	0.37	0.1497	1239	Western	0.10	0.0405
1185	Western	0.14	0.0567	1240	Middle	0.11	0.0445
1187	Western	0.12	0.0436	1241	Middld	0.10	0.0405
1188	Western	0.06	0.0243	1242	North East corner	0.01	0.0040
1192	South Western corner	0.01	0.0040	1245	Eastern	0.02	0.0081
1213	Middle	0.18	0.0728	1246	Eastern	0.03	0.0121
1191	Western	0.03	0.0121	1249	Eastern	0.04	0.0162
1214	Western	0.05	0.0202	1250	Eastern	0.33	0.1335
1215	Western	0.07	0.0288	1257	North East corner	0.23	0·0931
1216	Western	0.15	0.0607	1237/1370	Western	0.07	0.0283
1220	Western	0.11	0.0445	1229/1372	Middle	0.13	0 0526
1221	Eastern	0.04	0.0162	1229/1373	Eastern	0.04	0.0162
1224	Eastern	0.03	0.0121	1180/2241	Middle	0.32	0.1295
1228	Eastern	0.03	0.0121	1180/2247	Eastern	0.38	0.1538
1229	Eastern	0.09	0.0364	1184/2248	Eastern	0.19	0.0769
1232	Eastern	0.03	0.0121	1239/2255	Eastern	0.03	0.0121
1234	Middle	0.09	0.0364	1238/2256	Eastern	0.04	0.0162
1236	Western	0.07	0.0283	1238/2246	Eastern	0.33	0.1335
1237	Western	0.04	0.0162				

SHEET NO. 8

R. S. Plot No. in full. :— 238, 351 & 274/842

R. S. Plot No. in part :—

116	South Western corner	0.03	0.0121	229	Western	0.30	0.1214
159	Western	0.24	0.0971	230	Middle	0.48	0.1942
162	Western	0.02	0.0081	231	North East corner	0.01	0.0040
163	Western	0.12	0.0496	234	Eastern	0.27	0.1093
164	Western	0.10	0.0405	237	Western	0.08	0.0324
165	Western	0.20	0.0809	239	North East corner	0.01	0.0040
166	South Western corner	0.01	0.0040	243	Eastern	0.27	0.1093
167	Western	0.05	0.0202	244	Western	0.17	0.0688
168	Middle	0.24	0.0971	245	Middle	0.15	0 0607
169	Middle	0.11	0·0445	247	Middle	0.29	0.1174
170	North Western corner	0.06	0.0243	248	Eastern	0.11	0.0445
172	Southern	0.21	0.0850	249	Eastern	0.38	0.1538

Plot No.	Specific Portion of the Plot	Area in Acres	Area in Hectares	Plot No.	Specific Portion of rhe Plot	Area in Acres	Area in Hectares
252	Middle	0.08	0.0324	274/840	Western	0.05	0.0202
253	Western	0.05	0.0202	274/841	Southern	0.21	0.0850
254	Western	0.03	0.0121	274/843	Eastern	0.07	0.0283
274	South Western corner	0.01	0.0040	274/844	Eastern	0.11	0.0445
250/626	North Western corner	0.03	0.0121	234.862	Eastern	0.30	0.1214
173/824	South Western corner	0.01	0.0040				

By order of the Governor,
Sd/- S. C. Paheri
Deputy Secretary to the
Govt. of West Bengal

Published by the controller of Printing and stationery, West Bengal and printed by the District Magistrate, Jalpaiguri at Sree Durga Press, Jalpaiguri.

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-31

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 5] WEDNESDAY, JUNE 26, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1132-L.—26th June, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 25 of 1996

THE WEST BENGAL MINORITIES DEVELOPMENT AND FINANCE CORPORATION (AMENDMENT) BILL, 1996.

A

BILL

to amend the West Bengal Minorities Development and Finance Corporation Act, 1995.

WHEREAS it is expedient to amend the West Bengal Minorities Development and Finance Corporation Act, 1995, for the purpose and in the manner hereinafter appearing;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the West Bengal Minorities Development and Finance Corporation (Amendment) Act, 1996.

(2) It shall come into force at once.

The West Bengal Minorities Development and Finance Corporation (Amendment) Bill, 1996.

(Clause 2.)

Amendment of section 4 of West Ben Act XVIII of 1995

2. In sub-section (1) of section 4 of the West Bengal Minorities Development and Finance Corporation Act, 1995,—

(1) for clause (a), the following clause shall be substituted:—

"(a) a Chairperson, who shall be a person of public eminence, to be nominated by the State Government;";

(2) for clause (e), the following clause shall be substituted:—

"(e) the Secretary, Minorities' Development and Welfare Department, Government of West Bengal, *ex officio*;";

(3) after clause (g), the following clause shall be inserted:—

"(gg) a representative of the West Bengal Minorities' Commission;".

STATEMENT OF OBJECTS AND REASONS.

The West Bengal Minorities Development and Finance Corporation Act, 1995 (West Ben. Act XVIII of 1995) (hereinafter referred to as the principal Act) was enacted to undertake the task of economic welfare of the minorities through industrial, commercial and cultural activities. The principal Act has come into force with effect from 8th January, 1996 by issuing of a notification in exercise of the power conferred by sub-section (3) of section 1 of the principal Act and the Governor has also been pleased to establish the Corporation with effect from the said date i.e. 8th January, 1996 by issue of a notification as required in terms of sub-section (1) of section 3 of the principal Act. Since then the Corporation has been functioning. By this time it has invited applications from the people belonging to minority communities for self-employment ventures. The presence of a full-time Chairperson equips the Corporation in undertaking the tasks assigned to it in the principal Act.

Moreover a new department under the nomenclature "Minorities' Development and Welfare Department" has been established by amending the West Bengal Rules of Business and this Department will now co-ordinate the matters relating to the above mentioned Corporation. Representation of the new department constituted on 30.5.96 is felt essential in the interests of both. Accordingly it appears to the State Government that the Constitution of the Corporation requires some amendments in order to make the Corporation function smoothly and effectively. This Bill accordingly seeks to amend section 4 of the principal Act to facilitate the functioning of a full-time Chairperson and representation of the new administrative department in the Corporation.

No additional expenditure will be required to be met by the Corporation to implement the provisions of the Bill.

CALCUTTA,
The 25th June, 1996.

MOHAMMED AMIN,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

WB/2645/LA/1W/(369)-9/96/BWN/96

SL. No. 1370/LA/

The Calcutta Gazette

Extra ordinary

Published by Authority

[Ashar 11] [Wednesday, 26 June, 1996 [Saka—1918]

Part I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

LAND AND LAND REFORMS DEPARTMENT

LAND ACQUISITION

NOTIFICATION

Burdwan No.—2644 LA/PHE/1W-9 96 Dt. 14. 5. 96

Whereas it appears to the Governor that land is likely to be needed to be taken by Government at the public expense for a public purpose, viz, Construction of Head Works Site & 2nd Source of Water Supply in the mouza JAUGRAM, Jurisdiction list No. 114, P. S. Jamalpur, District Burdwan, it is hereby notified that for the above purpose a piece of land comprising revisional settlement plots as detailed below and measuring, more or less 0·2226 hectares (0·55 acres), bounded as specified below is likely to be needed within the aforesaid mouza Jaugram.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Burdwan.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and work-men, to enter upon and survey the land and do all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof may within thirty days after the date on which public notice of the substance of this Notification is given in the locality, file an objection in writing before the Collector Burdwan.

LAND SCHEDULE

Mouza—Jaugram J. L. No.—114 P. S.—Jamalpur District - Burdwan

Revisional Settlement Plot Nos. in full :—8827

Revisional Settlement Plot Nos. in part :—

Plot Nos.	Specific portion of the plot	Area in Acre	Area in Hectare
5554	Eastern	0 27	0·1092
8826	South-West Portion	0·055	0 0222
8828	Western	0 04	0·0162
8829	Western	0·045	0·0182

By order of the Governor,
R. N. PAL
Dy. Secy. Govt. of W. B

rice : Re. 0·20

Published by C.P.S.W.B. and printed by D. M. Burdwan at Zilla Parishad Press Burdwan P. O. & Dist. Burdwan—713101

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-28

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 6] THURSDAY, JUNE 27, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1140-L.—27th June, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 26 of 1996

THE DARJEELING GORKHA HILL COUNCIL (AMENDMENT) BILL, 1996.

A BILL

to amend the Darjeeling Gorkha Hill Council Act, 1988.

WHEREAS it is expedient to amend the Darjeeling Gorkha Hill Council Act, 1988, for the purpose and in the manner hereinafter appearing; West Ben. Act XIII of 1988

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the Darjeeling Gorkha Hill Council (Amendment) Act, 1996.

(2) It shall come into force at once.

The Darjeeling Gorkha Hill Council (Amendment) Bill, 1996.

(Clause 2.)

Insertion of new section 18A in West Ben. Act XIII of 1988

2. After section 18 of the Darjeeling Gorkha Hill Council Act, 1988 (hereinafter referred to as the principal Act), the following section shall be inserted:—

'Disqualification on change of political party by Councillors

18A. (1) Notwithstanding anything to the contrary contained in this Act or in any other law for the time being in force, the prescribed authority for the General Council (hereinafter referred to as the prescribed authority) may, subject to the other provisions of this section, declare, for reasons to be recorded in writing, a Councillor to be disqualified for being a Councillor thereof, if—

(a) he is an elected Councillor set up by a recognised political party and has—

(i) voluntarily given up his membership of such recognised political party, or

(ii) exercised the voting right contrary to the manner of voting of the majority Councillors set up by such recognised political party; or

(b) he is an elected Councillor not set up by any recognised political party and has joined a recongnised political party on the expiry of six months from the date of election:

Provided that the prescribed authority shall not declare any Councillor to be disqualified under this section without giving to such Councillor a reasonable opportunity to represent his case and to be heard in person:

Provided further that an elected Councillor referred to in sub-clause (ii) of clause (a) shall not, on the prescribed authority being satisfied in this behalf, be declared to be disqualified if—

(a) the action of such Councillor was taken on obtaining prior permission of, or was condoned by, such recognised political party, or

(b) such Councillor claims that he and any other Councillor of such recognised political party constitute a group representing a faction consisting of not less than one-third of the total number of Councillors set up by such recognised political party in the General Council and that all the Councillors set up by such group have voluntarily given up their councillor ship of such recognised political party, or

(c) the former recognised political party of the Councillor merges with another recognised political party,and he claims that he and other Councillors of his former recognised political party—

(i) have become Councillors of such other recognised political party or of a new recognised political party formed out of merger, as the case may be ,or

(ii) have not accepted the merger, and from the time of such merger, he and such other Councillors constituting not less than one third of the total number of members set up by the former recognised political party in the General Council, have opted to remain members of the former recognised political party or have formed a new recognised political party.

(2) On being declared to be disqualified under sub-section (1), a Councillor shall, subject to the provisions of sub-section (12), stand removed from the General Council from the date of such declaration.

(3) As soon as may be within one month from the date of the first meeting of a General Council or within one month from the date on which this section comes into force, as the case may be, elected Councillors set up by the recognised political parties shall, by adopting a resolution, select one Councillor from amongst themselves

The Derjeeling Gorkha Hill Council (Amendment) Bill, 1996.

(Clause 2.)

to be the Leader and such Leader shall, within fifteen days from the date of such selection, furnish to the prescribed authority referred to in sub-section (1)—

(i) a copy of the resolution,

(ii) a signed statement containing the names, addresses and constituencies of himself and other members set up by such recognised political party, and

(iii) a copy of a set of rules and regulations, if any, by whatever name called, of such recognised political party:

Provided that an office-bearer may also hold the office of the Leader.

(4) Where there is only one elected Councillor set up by a recognised political party in a General Council, he shall furnish the documents referred to in sub-section(3) in relation to himself:

Provided that in the event of any increase in the number of Councillors of such recognised political party, the provisions of sub-section (3) shall apply as if the first meeting of the General Council was held or this section came into force, as the case may be, on the date on which such increase took place.

(5) A Councillor not belonging to any recognised political party shall furnish a statement to that effect to the prescribed authority referred to in sub-section (1) within one month from the date of the first meeting of the General Council.

(6) In the event of any change of the information furnished under sub-section (3), sub-section (4) or sub-section (5), the Leader or the member, as the case may be, shall, as soon as may be within fifteen days from the date of such change, furnish in writing such change of information to the prescribed authority referred to in sub-section (1).

(7) The Leader of any recongnised political party referred to in sub-section (3) may at any time file a petition endorsed by the General Secretary, or, if there is no General Secretary, the Secretary, of the district unit of such recognised political party to the prescribed authority referred to in sub-section (1), stating that—

(a) one or more member of such recognised political party have—

(i) voluntarily given up his or their membership of such recognised political party, or

(ii) have exercised the voting right contrary to the manner of voting of the majority members set up by such recognised political party in the General Council, or

(b) the member referred to in sub-section (4) has voluntarily given up his membership of the recognised political party that set him up, or

(c) the member referred to in sub-section (5) has joined a recognised political party on the expiry of six months from the date of election, and that such member of members should be declared to be disqualified under sub-section (1) and should be removed from the General Council.

(8) Every petition referred to in sub-section (7)—

(a) shall contain a concise statement of the material facts on which the petitioner relies, and

(b) shall be accompanied by copies of the documentary evidence, if any, on which the petitioner relies and, where the petitioner relies on any information furnished to him by any person or persons, a statement containing the names and addresses of such person or persons and the gist of such information as furnished by such person or each of such persons.

(9) On receipt of the petition referred to in sub-section (7), the prescribed authority referred to in sub-section (1) shall, as soon as possible within six weeks from the date of the receipt of such petition, proceed to make any enquiry to satisfy himself, among others, as to—

(a) the common decision in regard to the manner of voting to be exercised by the majority members set up by the recognised political party, and

(b) whether the member or members against whom such petition is field, exercised the voting right, in a meeting of the General Council contrary to such manner of voting.

The Darjeeling Gorkha Hill Council (Amendment) Bill, 1996.

(Clause 2.)

(10) For the purpose of enquiry under sub-section (9), the prescribed authority may summon such members of the recognised political party or other persons, and require such signed statements from, and production of such documents and records by, the member or other persons as aforesaid, as he may deem necessary.

(11) As soon as possible within eight weeks from the date of receipt of the petition referred to in sub-section (7), the prescribed authority shall, in consideration of the facts and the documents and the records before it,—

(a) reject the petition, or

(b) admit the petition wholly or in part and declare any Councillor or Councillors to be disqualified under sub-section (1) for being Councillor.

(12) Any Councillor declared disqualified under sub-section (1) or the Leader of the recognised political party referred to in sub-section (7), if aggrieved by the decision of the prescribed authority, may, within thirty days from the date of the order, appeal to such authority as the State Government may appoint in this behalf, and, thereupon, the authority so appointed may stay the operation of the order till the disposal of the appeal and may, after giving notice of the appeal to the prescribed authority, and after giving the appelant an opportunity of being heard, set aside or confirm the order or declare under sub-section (1) any Councillor or Councillors to be disqualified for being Councillor or Councillors.

(13) The order passed by the authority appointed under sub-section (12) on the appeal shall be final.

(14) Notwithstanding anything to the contrary contained in this Act or in any other law for the time being in force, no court shall have any jurisdiction in respect of any matter arising out of a Councillor being declared to be disqualified under sub-section (1) for being a Councillor.

(15) The State Government may, by notification published in the *Official Gazette*, make rules for carrying out the purposes of this section.

Explanation I.—For the purposes of this section, an elected Councillor shall be deemed to be set up by a recognised political party if he has contested election with symbol reserved for such recognised political party or if he has contested election with a free symbol and joins a recognised political party and furnishes a declaration to that effect to the prescribed authority before the expiry of six months from the date of election.

Explanation II.—"Prescribed authority for the General Council" shall mean an authority appointed by the State Government by notification published in the *Official Gazette* for the purposes of this section.'.

STATEMENT OF OBJECTS AND REASONS.

The Darjeeling Gorkha Hill Council Act, 1988 (West Ben. Act XIII of 1988) (hereinafter referred to as the principal Act) was enacted to provide for the establishment of an autonomous Council for the social, economic, educational and cultural advancement of the Gorkhas and other sections of the people residing in the hill areas of the district of Darjeeling. The autonomous Council, namely, the Darjeeling Gorkha Hill Council (hereinafter referred to as the General Council), was constituted under the principal Act in December, 1988, and since then, the General Council has been continuing to function.

2. In course of the work of the General Council, it has been made to appear to the State Government that it will be expedient to insert a provision in the principal Act regarding disqualification of the Councillors (members of the General Council) on change of political party in line with similar provisions in the West Bengal *Panchayat* Act, 1973 (West Bengal Act XLI of 1973).

3. The Bill accordingly seeks to insert in the principal Act a new section, namely, section 18A, on the lines as aforesaid.

4. No additional expenditure will be required to be met from the Consolidated Fund of the State to implement the provisions of the Bill.

JYOTI BASU,
Member-in-charge.

CALCUTTA,
The 25th June, 1996.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-25

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 7] FRIDAY, JUNE 28, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No.1154-L.—28th June, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 27 of 1996

THE WEST BENGAL INDUSTRIAL INFRA-STRUCTURE DEVELOPMENT CORPORATION (AMENDMENT) BILL, 1996.

A
BILL

to amend the West Bengal Industrial Infra-structure Development Corporation Act, 1974.

WHEREAS it is expedient to amend the West Bengal Industrial Infra-structure Development Corporation Act, 1974, for the purpose and in the manner hereinafter appearing; West Ben. Act XXV of 1974.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Industrial Infra-structure Development Corporation (Amendment) Act, 1996.

(2) This section shall come into force at once; and section 2 shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint and, for this purpose, different dates may be appointed for different areas to be specified in the notification.

The West Bengal Industrial Infra-structure Development Corporation (Amendment) Bill, 1996.

(Clause 2.)

Amendment of section 33 of West Ben Act XXV of 1974

2. In the West Bengal Industrial Infra-structure Development Corporation Act, 1974, in Chapter V, in section 33, for the words "at the rate of four *per cent. per annum* from the time of so taking possession until it shall have been so paid or deposited.", the words and figures "in accordance with the provisions of section 34 of the Land Acquisition Act, 1894." shall be substituted. 1 of 1894

STATEMENT OF OBJECTS AND REASONS.

Under section 33 of the West Bengal Industrial Infra-structure Development Corporation Act, 1974 (West Bengal Act XXV of 1974), when the amount of compensation for acquisition of any land under the said Act is not paid or deposited on or before taking possession of such land, the State Government shall pay the amount of compensation determined with interest thereon at the rate of four *per cent. per annum* from the date of so taking possession until it shall have been so paid or deposited. It is, however, considered necessary to make payment of interest as aforesaid at the rate provided in section 34 of the Land Acquisition Act, 1894 (1 of 1894). Section 33 of the West Bengal Industrial Infra-structure Development Corporation Act, 1974 is, therefore, required to be amended appropriately.

2. The Bill has been framed with the above object in view.

CALCUTTA,
The 25th June, 1996.

BIDYUT GANGULY,
Member-in-charge.

FINANCIAL MEMORANDUM.

While giving effect to the provisions of the Bill after the same is passed into law, the State Government may have to incur additional expenditure in the cases of delay in payment of compensation, if any, to the extent of the difference between the existing rate and the new rate. The liability on this account, which cannot be foreseen at this stage, shall be met by appropriate provision in this behalf in the budget in consulation with the Finance Department.

2. No additional administrative expenditure is, however, envisaged to give effect to the provisions of the Bill on its being passed into law.

CALCUTTA,
The 25th June, 1996.

BIDYUT GANGULY,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-I)/96/SAR-122**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 7] FRIDAY, JUNE 28, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
Taxation

No. 1569-F.T. Calcutta, the 28th June, 1996.

NOTIFICATION

In exercise of the power conferred by section 24 of the West Bengal Multi-storeyed Building Tax Act, 1979 (West Ben. Act XVII of 1979), the Governor is pleased hereby to make the following amendments in the West Bengal Multi-storeyed Building Tax Rules, 1979, as subsequently amended (hereinafter referred to as the said Rules):—

Amendments

In the said rules, in Form II,—

(a) for the word and figures "Form II", *substitute* the words and figures,

"THE WEST BENGAL MULTI-STOREYED BUILDING TAX ACT, 1979

FORM II";

(b) in paragraph 2C,—

(i) for the words "the tax for the year", *substitute* the words "*the tax payable in advance for the year ...../*the assessed tax due for the year .....";

(ii) *omit* the words and figures "of the West Bengal Multi-storeyed Building Tax Act, 1979";

(c) for the words, figures, letters and brackets occurring after paragraph 6,

"Amount of multi-storeyed building tax payable .....

Penalty imposed under sub-section (1) of section 9 .....

Penalty imposed under clause (a)/clause (b) of sub-section (1) of section 8A .....

Total sum payable .....

(Rupees .....)", *substitute* the following words, letters, figures and brackets:—

"Specification of Demand

(a) Multi-storeyed Building Tax assessed	:	Rs. .....
Less : Tax paid	:	Rs. .....
Tax due	:	Rs. .....
(b) Penalty imposed under clause (a) of sub-section (1) of section 8A	:	Rs. .....
(c) Penalty imposed under clause (b) of sub-section (1) of section 8A	:	Rs. .....
(d) Penalty imposed under sub-section (1) of section 9,—		
(i) for non-payment of tax in advance	:	Rs. .....
(ii) for non-payment of assessed tax	:	Rs. .....
Total amount payable (a+b+c+d)	:	Rs. .....
Less : Amount refundable for the year .... set off	:	Rs. .....
Balance amount payable	:	Rs. .....

(Rupees ..... only)".

By order of the Governor,

N. BARMAN ROY,
Dy. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-III)/96/SAR-12

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 10] MONDAY, JULY 1, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1161-L.—1st July, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act IX of 1996

THE NORTH BENGAL UNIVERSITY (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 1st July, 1996.]

An Act to amend the North Bengal University Act, 1981.

WHEREAS it is expedient to amend the North Bengal University Act, 1981, for the purpose and in the manner hereinafter appearing; West Ben. Act XXV of 1981.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the North Bengal University (Amendment) Act, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette,* appoint.

The North Bengal University (Amendment) Act, 1996.

(Section 2.)

Amendment of section 26 of West Ben. Act XXV of 1981.

2. In section 26 of the North Bengal University Act, 1981,—

(1) for sub-section (1), the following sub-section shall be substituted:—

"(1) (a) There shall be a Dean for each of the Faculty Council for post-graduate studies in Arts, Commerce and Law and the Faculty Council for post-graduate studies in Science, who shall be a Professor of the University.

(b) There shall be a Dean for the Faculty Council for post-graduate studies in Medicine, who shall be a Professor of the University:

Provided that if there is no such Professor, the Dean shall be a Professor of the North Bengal Medical College.";

(2) for sub-section (2), the following sub-section shall be substituted:—

"(2) The Dean shall be elected by the members of the Faculty Council and shall act as Vice-Chairman of the Faculty Council.".

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No WB/SC-247

WB/3012/LA/2R-45/96/BWN/96

SL. No 1410/LA/

The Calcutta Gazette

Extra ordinary

Published by Authority

[Ashar 17] [Tuesday, 2 July, 1996] [Saka—1918]

Part I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

LAND AND LAND REFORMS DEPARTMENT

LAND ACQUISITION

NOTIFICATION

Burdwan No.- 3011 LA/2R-45/96 Dt. 10. 6. 96

Whereas it appears to the Governor that land is likely to be needed to be taken by Government at the public expense for a public purpose, viz, for Acquisition of Land (from 480 K.M P. to 482 K.M.P.) in connectton with 4 laining of N. H.-2 between Raniganj (474 Kmp.) and Panagarh (516 Kmp.) on ADB loan assistance Project in the mouza HARISHPUR & KAJORA Jurisdiction list No. 44 and 41, P. S. Andal, District Burdwan, it is hereby notified that for the above purpose a piece of land comprising revisional settlement plots as detailed below and measuring, more or less 0·6884 hectare (1·701 acres), bounded as specified below is likely to be needed within the aforesaid mouzas Harishpur and Kajora.

This notification is made, under the provisions of section 4 of Act 1 of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Burdwan.

In exercise of the powers conferred by the aforesaid section, the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and work-men, to enter upon and survey the land and do all other acts required or permitted by that Section.

In exercise of the powers conferred by sub-section(4) of section 17 of the land Acquisition Act, 1894 (Act 1 of 1894), The Governor is pleased to direct that the provisions of section 5A of the Act, shall not apply to the lands as described in the Schedule below to which in the opinion of the Governor, the provisions of sub-section 17 of the said Act are are applicable.

LAND SCHEDULE

Mouza—Harishpur J. L. No.—44 P. S.—Andal District- Burdwan

R. S. Plots in part :—

R. S. Plot No.	Specific portion of the plot	Area in Acre	Area in Hectre	R. S. Plot No.	Specific portion of the plot	Area in Acre	Area in Hectre
1367	Northern	·390	·1579	1383	Northern	·083	·0336
1370	Northern	·230	·0931	1385	Northern	·119	·0481
1381	Northern	·079	·0319	1380/1622	North east corner and North west corner	·062	·0251
1382	Northern	·223	·0902				

Mouza—Kajora J. L. No.—41 P. S.—Andal District—Burdwan

R. S. Plot in part :—

R. S. Plot No.	Specific portion of the plot	Area in Acre	Area in Hectare
8412	North west corner	·005	·0020
8413	Northern	·023	·0093
8414	Northern	·013	·0052
8415	Northern	·021	·0085
8446	Northern	·017	·0068
8447	Northern	·025	·0101
8455	Northern	·022	·0089
8456	Northern	·011	·0044
8457	Northern	·013	·0052
8458	Northern	·010	·0040
8459	North east corner	·005	·0020
8460	Northern	·027	·0109
8463	North west corner	·020	·0081
8465	Northern	·064	·0259
8482	Northern	·030	·0121
8493	North east corner	·005	·0020
8494	North east corner	·087	·0352
8495	Northern	·033	·0133
8496	Northern	·055	·0222
244/8899	Northern	·023	·0093
8507/8975	South side adjacent to G. T. Rd.	·006	·0024

By order of the Governor,
S. C. Pahari
Dy. Secy. to the Govt. of W. B

Published by C.P.S.W.B. and printed by D. M. Burdwan at Zilla Parishad Press
Burdwan P. O. & Dist. Burdwan—713101.

Registered No. WB/SC-247

WB/3019/LA/2R-41/96/BWN/96

SL. No. 1409/LA/

The Calcutta Gazette

Extra ordinary

Published by Authority

[Ashar 17] [Tuesday, 2 July, 1996 [Saka—1918]

Part I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL
LAND AND LAND REFORMS DEPARTMENT
LAND ACQUISITION

NOTIFICATION

Burdwan No. 3018 LA/2R-41/96 Dt. 10. 6. 96

Whereas it appears to the Governor that land is likely to be needed to be taken by Government at the public expense for a public purpose, viz, for Acquisition of Land (from 476 K.M.P. to 478 K.M.P.) in connectton with 4 laining of N. H.-2 between Raniganj (474 Kmp.) and Panagarh (516 Kmp.) on ADB loan assistance Project in the mouza MANGALPUR & BAKTAR NAGAR, Jurisdiction list No. 22 and 30, P. S. Raniganj. District Burdwan, it is hereby notified that for the above purpose a piece of land comprising revisional settlement plots as detailed below and measuring, more or less 0·2745 hectares (0·678 acre), bounded as specified below is likely to be needed within the aforesaid mouzas Mangalpur and Baktar Nagar.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Burdwan.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and work-men, to enter upon and survey the land and do all other acts required or permitted by that Section.

In exercise of the powers conferred by sub-section(4) of section 17 of the land Acquisition Act, 1894 (Act I of 1894), The Governor is pleased to direct that the provisions of section 5A af the Act, shall not apply to the lands as described in the Schedule below to which in the opinion of the Governor, the provisions of sub-section 17 of the said Act are are applicable.

PLOT SCHEDULE

Mouza—Mangalpur J. L. No.—22 P. S.—Raniganj District Burdwan

R. S. Plots in part :—

Plot Nos.	Specific portion of the plot	Area in Acre	Area in Hectare
1210	North Eastern	·052	·0210
1217	Western	·148	·0599

Mouza—Baktar Nagar J. L. No.—30 P. S.—Raniganj District—Burdwan

R. S. Plot in part :—

Plot No.	Specific portion of the plot	Area in acre	Area in hectare
2010/2663	North Eastern	·478	·1935

By order of the Governor,
S. C. Pahari
Dy. Secy. to the Govt. of W. B.

Price—Re. 0.20

Published by C. P. S. W. B. and Printed by D. M. Burdwan at
Zilla Parishad Press, Burdwan, P.O. & Dist. Burdwan-713104

Registered No. WB/SC-247 No. WB(Part-IV)/96/SAR-13

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 12] WEDNESDAY, JULY 3, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1201-L.—3rd July, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 28 of 1996

THE BIDHAN CHANDRA KRISHI VISWAVIDYALAYA (SECOND AMENDMENT) BILL, 1996.

A BILL

to amend the Bidhan Chandra Krishi Viswavidyalaya Act, 1974.

WHEREAS it is expedient to amend the Bidhan Chandra Krishi Viswavidyalaya Act, 1974, for the purposes and in the manner hereinafter appearing; West Ben. Act XLIX of 1974.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the Bidhan Chandra Krishi Viswavidyalaya (Second Amendment) Act, 1996.

(2) It shall be deemed to have come into force on the date on which the Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1996, ceased to operate. West Ben. Ord. III of 1996.

The Bidhan Chandra Krishi Viswavidyalaya (Second Amendment) Bill, 1996.

(Clauses 2, 3.)

Amendment of section 2 of West Ben. Act XLIX of 1974.

2. In section 2 of the Bidhan Chandra Krishi Viswavidyalaya Act, 1974 (hereinafter referred to as the principal Act),—

(1) in clause (2), for the words "crop and livestock production, veterinary and dairy sciences, fisheries,", the words "terrestrial and aquatic crop and animal production," shall be substituted;

(2) after clause (3), the following clauses shall be inserted:—

'(3a) "Associate Dean" means the Head of the teaching wing of a campus;

(3b) "Associate Director of Research" means the Head of a research wing of a campus or regional station;';

(3) after clause (4), the following clause shall be inserted:—

'(4a) "campus" means the centre, other than the main campus, imparting teaching at degree level or above and having any research or extension function;';

(4) clause (6) shall be omitted;

(5) after clause (8), the following clause shall be inserted:—

'(8a) "main campus" means the principal seat of the University at Mohanpur under police station Haringhata in the district of Nadia, in West Bengal where the academic, administrative, research, extension education and farm establishments are situated for the purpose of teaching, research and extension education functions;';

(6) clause (12) shall be omitted;

(7) after clause (12), the following clause shall be inserted:—

'(12a) "regional station" means the research or extension station under the University;'.

Amendment of section 3.

3. In section 3 of the principal Act,—

(1) in sub-section (2),—

(a) under the heading "(i) *ex officio members*",—

(i) clause (c) shall be omitted;

(ii) for clause (h), the following clause shall be substituted:—

"(h) the Secretary, Department of Food Processing Industries, Government of West Bengal;";

(iii) after clause (j), the following clause shall be inserted:—

"(j1) the Campus Director;";

(iv) for clause (m), the following clause shall be substituted:—

"(m) the Director of Horticulture, Government of West Bengal;";

(v) for clause (n), the following clause shall be substituted:—

"(n) the Director of Agricultural Engineering, Government of West Bengal;";

(vi) clause (o) shall be omitted;

(vii) in clause (q), after the word "Extension", the word "Education" shall be inserted;

(viii) after clause (q), the following clauses shall be inserted:—

"(q1) the Director of Farms;

(q2) the Librarian;

(q3) the Registrar:";

(ix) in the proviso,—

(a) for the words, letters and brackets "in clauses (c) to (h) and (l) to (n)", the words, letters and brackets "in clauses (c), (d), (f), (g), (h), (m) and (n)" shall be substituted;

(b) after the words "Additional Director", the words "or Joint Director" shall be inserted;

(b) under the heading "(ii) *nominated members*", clause (s) shall be omitted;

(c) under the heading "(iii) *elected members*",—

(i) in clause (w), for the words "regular students of the Faculty.", the words "regular students at undergraduate, post-graduate and doctoral levels of the Faculty of whom one shall be from the post-graduate or doctoral level." shall be substituted;

(ii) in clause (x), for the words "one person", the words "two persons" shall be substituted;

The Bidhan Chandra Krishi Viswavidyalaya (Second Amendment) Bill, 1996.

(Clauses 4-6.)

(2) in sub-section (3a), for the words "three years,", the words "four years," shall be substituted.

Amendment of section 5.

4. In clause (1) of section 5 of the principal Act, for the words "veterinary and animal sciences, fisheries,", the words "agricultural processing engineering, terrestrial and acquatic animal sciences," shall be substituted.

Amendment of section 10.

5. In section 10 of the principal Act,—

(1) in sub-section (2),—

(a) under the heading "(a) *ex officio members*",—

(i) after clause (iii), the following clauses shall be inserted:—

"(iiia) the Director of Research;

(iiib) the Director of Extension Education;";

(iiic) The Registrar;";

(ii) for clause (v), the following clauses shall be substituted:—

"(v) the Secretary, Department of Food Processing Industries, Government of West Bengal;

(va) the Campus Director;";

(iii) for clause (vii), the following clauses shall be substituted:—

"(vii) the Secretary, Department of Education, Government of West Bengal;

(viia) the field-worker elected to the Court;

(viib) the officer elected to the Court:";

(b) under the heading "(c) *elected members*",—

(i) in clause (xii),—

(a) after the words "from each Faculty", the words "having not more than one hundred Teachers," shall be inserted, and

(b) the following proviso shall be added at the end:—

"Provided that in the case of a Faculty having additional one hundred Teachers, one more Teacher in any rank from such Faculty shall be elected jointly by the Teachers of the Faculty;";

(ii) in clause (xiii), after the words "one post-graduate student", the words and brackets "or student at doctoral level (Doctor of Philosophy)" shall be inserted;

(iii) for clause (xiv), the following clause shall be substituted:—

"(xiv) one member of the non-teaching staff to be elected jointly by such members of the non-teaching staff, field worker and officer as are members of the Court from amongst themselves;";

(iv) after clause (xiv), the following clause shall be inserted:—

'(xv) one member of the West Bengal Legislative Assembly from amongst the members elected under clause (bb) under the heading "(iii) *elected members*" of sub-section (2) of section 3, to be elected by the members of the West Bengal Legislative Assembly.';

(2) in sub-section (3), for the words "non-member Secretary", the word "Member-Secretary" shall be substituted;

(3) in sub-section (4), for the words "three years,", the words "four years," shall be substituted.

Amendment of section 12.

6. In section 12 of the principal Act,—

(1) in sub-section (1),—

(a) for clause (b), the following clause shall be substituted:—

"(b) the Faculty Council for Post-graduate and Undergraduate Studies in Horticulture;";

(b) after clause (b), the following clauses shall be inserted:—

"(c) the Faculty Council for Post-graduate and Undergraduate Studies in Agricultural Engineering;

(d) such other Faculty Council as the University may, with the prior approval of the State Government, establish.";

The Bidhan Chandra Krishi Viswavidyalaya (Second Amendment) Bill, 1996.

(Clauses 7, 8.)

(2) in sub-section (2),—

(a) after clause (i), the following clause shall be inserted:—

"(ia) the Dean of the Faculty, Vice-Chairman;";

(b) after clause (iv), the following clauses shall be inserted:—

"(iva) the Campus Director;

(ivb) the Associate Dean;";

(3) after sub-section (4), the following sub-section shall be inserted:—

"(5) The term of office of the elected or nominated members of a Faculty Council for Post-graduate and Undergraduate Studies shall be four years.".

Amendment of section 13.

7. In sub-section (2) of section 13 of the principal Act, for the words, figures and brackets "clauses (iv), (v), (vii), (viii) and (xiv)", the words, figures and brackets "clauses (iv) and (v)" shall be substituted.

Amendment of section 14.

8. In section 14 of the principal Act,—

(1) in sub-section (1), for the words "Veterinary and Animal Sciences,", the words "Horticulture and Agricultural Engineering," shall be substituted;

(2) in sub-section (3),—

(a) in clause (a), after the words "which shall", the words "meet at least twice a year and shall" shall be inserted;

(b) in clause (b), after the words "The Head of the Department", the words "shall hold office as such for a term of four years and" shall be inserted;

(3) after sub-section (3A), the following sub-sections shall be inserted:—

"(3B) (a) There shall be a Departmental Committee which shall consist of the following:—

(i) the Head of the Department;

(ii) all Professors;

(iii) two Readers of the main campus to be elected by the teachers of the Department;

(iv) two Lecturers of the main campus to be elected by the teachers of the Department;

(v) one representative of the campus to be elected by the teachers of the campus only.

(b) The Head of the Department shall be the Chairman of the Departmental Committee.

(c) The Departmental Committee shall advise the Head of the Department and shall act on behalf of the Board of Studies for such departmental activities as may be deemed necessary for running the academic Department but shall not so act in respect of the powers and duties referred to in clauses (i) to (iv), clause (xiii), clause (xvii) and clause (xviii) of sub-section (3A).

(3C) (a) There shall be a Campus Management Committee which shall consist of the following:—

(i) the Campus Director;

(ii) the Associate Dean;

(iii) the Associate Director of Research;

(iv) all Professors, if any;

(v) two Readers to be elected by the teacher-members of the Campus;

(vi) two Lecturers to be elected by the teacher-members of the Campus;

(vii) one member of the non-teaching staff to be elected jointly by non-teaching staff and field workers of the Campus;

(viii) the person in charge of students' welfare.

(b) The Campus Director shall be the Chairman of the Campus Management Committee.

The Bidhan Chandra Krishi Viswavidyalaya (Second Amendment) Bill, 1996.

(Clauses 9-13.)

(c) The Campus Management Committee shall advise the Campus Director.

(3D) (a) There shall be a Regional Station Management Committee which shall consist of the following:—

(i) the Head of the regional station;

(ii) all Professors, if any;

(iii) two Readers to be elected by the teacher-members of the regional station;

(iv) two Lecturers to be elected by the teacher-members of the regional station;

(v) one member of the non-teaching staff to be elected jointly by non-teaching staff and field workers of the regional station.

(b) The Head of the regional station shall be the Chairman of the Regional Station Management Committee.

(c) The Regional Station Management Committee shall advise the Head of the regional station on the functioning aspects of teaching wing, research wing, and extension wing, if he is present in the regional station, and also on the administrative matters of the regional station.".

Amendment of section 14A.

9. In sub-section (1) of section 14A of the principal Act,—

(1) clause (iv) shall be omitted;

(2) after clause (vi), the following clauses shall be inserted:—

"(via) the Deans of the Faculty for Post-graduate and Undergraduate Studies;

(vib) the Director of Research;

(vic) the Director of Extension Education;

(vid) the Director of Farms;

(vie) the Registrar;".

Amendment of section 18.

10. In section 18 of the principal Act, after clause (9), the following clauses shall be inserted:—

"(9A) the Director of Farms,

(9B) the Campus Director,".

Amendment of section 26.

11. For sub-section (4) of section 26 of the principal Act, the following sub-section shall be substituted:—

"(4) The Dean shall hold office for a term of four years.".

Amendment of section 29.

12. In section 29 of the principal Act,—

(1) in the marginal note, after the word "Extension", the word "Education" shall be inserted;

(2) in sub-section (1), after the word "Extension", the word "Education" shall be inserted;

(3) in sub-section (2), after the word "Extension", the word "Education" shall be inserted;

(4) in sub-section (3), after the word "Extension", the word "Education" shall be inserted.

Insertion of new section 29A.

13. In chapter IV of the principal Act, after section 29, the following section shall be inserted:—

"The Campus Director.

29A. (1) There shall be a Campus Director who shall be a whole-time officer of the University. He shall be responsible to the Vice-Chancellor and shall perform such functions, and discharge such duties, as may be assigned to him by the Vice-Chancellor and the Executive Council.

The Bidhan Chandra Krishi Viswavidyalaya (Second Amendment) Bill, 1996.

(Clause 14.)

(2) The Campus Director shall be in overall charge of the campus for the academic, administrative, research, extension education, and financial functions of the campus.".

Saving and validation.

14. (1) Anything done or any action taken under the principal Act as amended by the Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1996, shall, on the said Ordinance ceasing to operate, be deemed to have been done or taken under the principal Act as amended by this Act as if this Act had commenced on the 2nd day of February, 1996. West Ben. Ord. III of 1996.

(2) Anything done or any action taken under the principal Act as amended by this Act before the publication of this Act in the *Official Gazette* shall be deemed to have been validly done or taken under the principal Act as amended by this Act as if this Act were in force when such thing was done or such action was taken.

STATEMENT OF OBJECTS AND REASONS.

The Bidhan Chandra Krishi Viswavidyalaya has been undertaking agricultural education in the State at the Mohanpur campus, Nadia, and at the North Bengal Campus, Pundibari, Coochbehar. The Agricultural graduates of the University are being absorbed in different government and non-government sectors of this country. There were two Faculties—one of Agriculture and the other of Veterinary and Animal Sciences. Of late, the University has been bifurcated and a separate University of Animal and Fishery Sciences has been set up at Belgachia, Calcutta.

2. (a) The agricultural scientists feel that in West Bengal the climatic situation from sea level to the hills provide unique opportunity to grow a large quantity of fruits, vegetables, flowers, plantation crops, spices, medical and aromatic plants. Exports of these ingredients of horticulture have already been emphasized in view of liberalisation of economic policy. The horticulture industry in West Bengal did not receive the attention it deserved in terms of investment for development. This State is lagging behind in horticulture industry in comparison with other States mainly for (i) non-utilisation of land otherwise unsuitable for production of traditional crops and (ii) non-availability of infrastructure for development of horticulture.

(b) It has accordingly been decided that a separate faculty of horticulture would be introduced under the administrative control of the Bidhan Chandra Krishi Viswavidyalaya forthwith for increasing awareness and transfer of available technology to the growers of West Bengal to meet the challenge of development of horticulture industry in the State and thereby assisting the rural as well as national economy.

3. (a) The Bidhan Chandra Krishi Viswavidyalaya has been teaching Agricultural Engineering in a nucleus form within the course of B.Sc. (Agriculture). But the State of West Bengal requires qualified Agricultural Engineers in large number. The Agricultural Engineering Graduates from the Indian Institute of Technology, Kharagpur, are not coming to function in different government or non-government organisations throughout India and hence there is scarcity of Agricultural Engineering Graduates. The State needs not only certificate, diploma and bachelor degree holders but also persons with specialised post-graduate training in different fields of Agricultural Engineering, viz., post-harvest technology, dairy engineering and food technology, soil and water engineering, farm machinery and power, etc. Different nationalised banks operating in this State have expressed their immediate requirement for Agriculture Engineers.

(b) It has accordingly been decided that a separate Agriculture Engineering Faculty will be set up under the administrative control of the Bidhan Chandra Krishi Viswavidyalaya.

4. The Bidhan Chandra Krishi Viswavidyalaya was set up in the year 1974 and is guided by the Bidhan Chandra Krishi Viswavidyalaya Act, 1974. The University has so long embraced the Faculty of Agriculture and the Faculty of Veterinary and Animal Science. With the advent of two new Faculties and exclusion of the Faculty of Veterinary and Animal Science owing to its transfer to the newly set up West Bengal University of Animal and Fishery Sciences, it became necessary to amend the Bidhan Chandra Krishi Viswavidyalaya Act, 1974, suitably so as to facilitate creation of the above two new Faculties of Horticulture and Agriculture Engineering in the Viswavidyalaya and exclusion of the Faculty of Veterinary and Animal Science which has gone over to the newly established University of Animal and Fishery Sciences.

5. As the matter was urgent and as the West Bengal Legislative Assembly was not in session, an Ordinance, namely, the Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1996 (West Bengal Ordinance No. III of 1996), was promulgated to achieve the purpose.

6. The Bill seeks to replace the said Ordinance to continue the provisions thereof with such modifications as are considered necessary and expedient.

CALCUTTA,
The 26th June, 1996.

NAREN DEY,
Member-in-charge.

FINANCIAL MEMORANDUM.

1. Total requirement of Fund:

(a) For Horticulture Faculty—

(i) Recurring for 5 years	Rs. 2,59,79,474.00
(ii) Non-Recurring for 5 years (For Buildings, Laboratories, Farms, Equipments, etc.)	Rs. 1,11,00,000.00

(b) Agriculture Engineering Faculty—

(i) Recurring for 5 years	Rs. 1,47,85,840.00
(ii) Non-Recurring for 5 years (For Buildings, Laboratories, Farms, Equipments, Workshop, etc.)	Rs. 1,10,00,000.00

2. After due consideration the Finance Department has agreed to opening of the two new Faculties. For the present, the Finance Department has excluded North Bengal Campus stating that opening of the Faculties in North Bengal Campus will be considered in future taking in view the necessity of Graduates in the subject concerned. At the first stage, however, the Finance Department has agreed to creation of 50 per cent of the required number of posts (teaching and non-teaching). Accordingly, the requirements of fund

for the first year will be as follows, subject to proportionate increase in the subsequent years:—

(1) For Horticulture Faculty—

(a) Initial Recurring	Rs. 35,46,440.00
(b) Initial Non-Recurring	Rs. 50,00,000.00

(2) For Agriculture Engineering Faculty—

(a) Initial Recurring	Rs. 21,14,124.00
(b) Initial Non-Recurring	Rs. 35,00,000.00

3. Finance Department has made necessary provision for the above purpose in the current year's plan budget.

CALCUTTA,
The 26th June, 1996.

NAREN DEY,
Member-in-charge.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

WB/3007/LA/BWN/96

SL. No. 1454/LA/

The Calcutta Gazette

Extra ordinary

Published by Authority

[Ashar 18] [Wednesday, 3 July, 1996 [Saka—1918]

Part I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL
LAND AND LAND REFORMS DEPARTMENT
LAND ACQUISITION

NOTIFICATION

Burdwan No.—3006 LA/1R-7 96 Dt. 10. 6. 96

Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. S.O. 782(E) dated 25th October, 1985 of Rural Development Department issued by Government of India in the Ministry of Agriculture and Rural Development and published at pages 1 to 3, part II, section 3 of the Gazette of India extra-ordinary, under clause (I) of article 258 of the Constitution of India.

And whereas it appears to the Governor that land is likely to be needed to be taken by the Central Government at the public purpose being a purpose of the Union, namely, for Doubling between Khano Jhapterdhal Station with a Fly-over at Khano in the mouza KHANO, Jurisdiction list No. 139, P. S. Galsi, District Burdwan, it is hereby notified that for the above purpose a piece of land comprising revisional settlement plots as detailed below and measuring, more or less 0·2104 hectares (0·52 acres), bounded as specified below is likely to be needed within the aforesaid mouza Khano.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Burdwan.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and work-men, to enter upon and survey the land and do all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof may within thirty days after the date on which public notice of the substance of this Notification is given in the locality, file an objection in writing before the Collector Burdwan.

LAND SCHEDULE

Mouza—Khano J. L. No.—139 P. S.—Galsi District—Burdwan

Revisional Settlement Plot Nos. in full :—1552 and 9034.
Revisional Settlement Plot Nos. in part :— Nil.

By order of the Governor,
P. K. Guha Roy
Dy. Secy. Govt. of W. B

Price : Re. 0·20

Published by C.P.S.W.B. and printed by D. M. Burdwan at Zilla Parishad Press.
Burdwan P. O. & Dist. Burdwan—713101.

Registered No. WB/SC—247

WB/3094/LA/BWN/96

SL. No. 1456/LA/

The Calcutta Gazette

Extra-ordinary

Published by Authority

[Ashar 18] [Wednesday, July 3, 1996] [Saka—1918]

Part I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL
LAND AND LAND REFORMS DEPARTMENT
Land Acquisition

NOTIFICATION

Burdwan No.—3093/LA/2R-48/93 Dated : 14. 6. 96

Whereas it appears to the Governor that land is likely to be needed to be taken by Government at the public expense for a public purpose, viz. for proposal of acquisition of land (from 498 K.M.P. to 499 K M.P.) in connection with 4 laining of N. H.-2 between Raniganj 474 K.M.P. and Panagarh 516 K.M.P. on ADB loan assistance project in the mouza GOPINATHPUR, Jurisdiction List No. 85, P. S. Faridpur, District Burdwan, it is hereby notified that for the above purpos a piece of land comprising revisional settlement plots as detailed below and mesuring, more or less, 0·1534 hectares (0·379 acres), bounded as specified below is likely to be needed within the aforesaid mouza Gopinathpur.

This notification is made, under the provisions of section 4 of Act 1 of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Burdwan.

In exercise of the powers conferred by the aforesaid section, the Governor is pleased to authorize the officers for the time being engaged in the undertaking, with their servant and workemen, to enter upon and survey the land and do all other acts required or permitted by that section.

In exercise of the powers conferred by Sub-section (4) of section 17 of the land Acquisition Act, 1894 (Act, I of 1894), the Governor is pleased to direct that the provisions of section 5A of the Act, shall not apply to the lands as described in the schedule below to which in the opinion of the Governor, the provisions of sub-section (1) of section 17 of the said Act are applicable.

LAND SCHEDULE

Gopinathpur J. L. No.—85 P. S. Faridpur Dist—Burdwan

R.S. Plot nos. in part :—

Plot No.	Specific portion of the plot	Area in Acre	Area in hectare
36	North portion	0·159	0·0643

Plot No.	Specific portion of the plot	Area in acre	Area in hectare
203	North-West corner	0·028	0·0113
3282	Northern	0·007	0·0028
3283	Do	0·015	0·0060
3290	North portion	0·013	0·0052
3291	Eastern and Western side except some portion	0·157	0·0635

By order of the Governor,
S. C. Pahari
Dy. Secy. to the Govt. of W. B.

Price—Re. 0.20

Published by C. P. S. W. B. and Printed by D. M. Burdwan at
Zilla Parishad Press, Burdwan, P.O.& Dist. Burdwan-713101.

Registered No. WB/SC-247 No. WB(Part-I)/96/SAR-135

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 18] TUESDAY, JULY 9, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
Taxation

No. 1647-F.T. Calcutta, the 9th July, 1996.

NOTIFICATION

In exercise of the power conferred by section 104 of the West Bengal Sales Tax Act, 1994 (West Ben. Act XLIX of 1994), the Governor is pleased hereby to make the following amendments in the West Bengal Sales Tax Rules, 1995, as subsequently amended (hereinafter referred to as the said rules):—

Amendments

In the said rules,—

(1) in rule 43,—

(a) in the marginal notes, for the words "edible oils", *substitute* the words "tea and edible oils";

(b) for the words "any edible oil,", *substitute* the words "tea or any edible oil,";

(c) for the words "such edible oil", *substitute* the words "such tea or edible oil";

(2) for rule 45, *substitute* the following rule:—

"Exemption from tax on sales of tea, butter oil and certain other edible oils.

45. Where a ration shop dealer, appointed or approved by the State Government under public distribution system, makes sales of tea, butter oil or any other edible oil (except coconut oil, whether refined or not) purchased from or supplied by the West Bengal Essential Commodities Supply Corporation Limited or other ration shop dealer, such dealer may, for the purpose of determining his taxable turnover of sales, deduct from his gross turnover of sales such sales as have been made through the public distribution system under sub-clause (xi) of clause (a) of sub-section (3) of section 17.

Explanation.—For the purposes of this rule and rules 43 and 46, the expression "ration shop dealer" shall include Appointed Wholesaler, Modified Ration Distributor, Appointed Retailer, and Modified Ration Dealer, appointed as such by the State Government under public distribution system, and shall also include a Distributor appointed by the West Bengal Essential Commodities Supplies Corporation Limited and approved by the State Government for public distribution system.";

(3) in rule 46, for the words ", such ration dealer may,", *substitute* the words ", such dealer may,'

2. So much of the provisions of clause (2) as they relate to the *Explanation* to rule 45, and clause (3), shall be deemed to have come into force on the 1st day of May, 1995; and clause (1) and the remaining provisions of clause (2) as they relate to rule 45 (other than the *Explanation* to rule 45) shall be deemed to have come into force on the 1st day of April, 1996.

By order of the Governor,

N. BARMAN ROY,
Dy. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-I)/96/SAR-136**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 18] TUESDAY, JULY 9, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT
Taxation

No. 1655-F.T. Calcutta, the 9th July, 1996.

NOTIFICATION

In exercise of the power conferred by sub-section (2) of section 1 of the West Bengal Finance Act, 1996 (West Ben. Act X of 1996) (hereinafter referred to as the said Act), the Governor is pleased hereby to appoint—

(a) the 1st day of May, 1995, as the date on which section 1, and sub-clause (b), and sub-clause (e), of clause (22) of section 9, of the said Act shall come into force and shall be deemed to have come into force;

(b) the 1st day of August, 1995, as the date on which sub-clause (a), sub-clause (b), sub-clause (c), and sub-clause (e), of clause (11), clause (12), clause (13), and clause (14), of section 9 of the said Act shall come into force and shall be deemed to have come into force;

(c) the 1st day of April, 1996, as the date on which section 4, sub-clause (2), and sub-clause (3), of clause (3) of section 7, of the said Act shall come into force and shall be deemed to have come into force;

(d) the 1st day of August, 1996, as the date on which sub-clause (1) of clause (3) of section 7, and clause (8), clause (9), clause (10), sub-clause (d) of clause (11), clause (15), and clause (28), of section 9, of the said Act shall come into force; and

(e) the 15th day of July, 1996, as the date on which the remaining provisions, except the provision of section 8, of the said Act shall come into force.

By order of the Governor,
A. GUPTA,
Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No. WB(Part-I)/96/SAR-137

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 18] TUESDAY, JULY 9, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT
Taxation

No. 1656-F.T. Calcutta, the 9th July, 1996.

NOTIFICATION

In exercise of the power conferred by sub-section (1) of section 18 of the West Bengal Sales Tax Act, 1994 (West Ben. Act XLIX of 1994), the Governor is pleased hereby to make the following amendments in this department notification No. 1109-F.T. dated the 20th April, 1995, as subsequently amended (hereinafter referred to as the said notification):—

Amendments

In the said notification, in the TABLE, in PART-A,—

(1) in the entry in column (3) against serial No. 2 in column (1), for the word "Twenty", *substitute* the word "Fifteen";

(2) in the entry in column (3) against serial No. 4 in column (1), for the word "Twelve", *substitute* the word "Five";

(3) in the entry in column (3) against serial No. 6 in column (1), for the word "Twenty", *substitute* the word "Four";

(4) against serial No. 7 in column (1), in the entry in column (2), after the word "Biscuits", *insert* the words "of all varieties, except those specified in any other Schedule";

(5) in the entry in column (3) against serial No. 16 in column (1), for the word "Twelve", *substitute* the word "Four";

(6) in the entry in column (3) against serial No. 19 in column (1), for the word "Twenty", *substitute* the word "Fifteen";

(7) for the entry in column (2) against item (i) of serial No. 24 in column (1), *substitute* the entry "Drugs and medicines except those included in the goods specified elsewhere in this Schedule or in any other Schedule,";

(8) after serial No. 26 in column (1) and the entries relating thereto in column (2) and column (3), *insert* the following serial No. and entries relating thereto in column (1), column (2) and column (3) respectively:—

"26A. Electric fan, exhaust fan and air circulator. Fifteen.";

(9) *omit* serial No. 34 in column (1) and the entries relating thereto in column (2) and column (3);

(10) in the entry in column (2) against serial No. 37 in column (1), for the words "and vegetable oil", *substitute* the words "and any other vegetable oil, but excluding those vegetable oils included in the goods specified elsewhere in this Schedule or in any other Schedule";

(11) in the entry in column (2) against serial No. 39 in column (1), after the word "ice-candy", *insert* the words "and frozen dessert";

(12) *omit* serial No. 51 in column (1) and the entries relating thereto in column (2) and column (3);

(13) after serial No. 55 in column (1) and the entries relating thereto in column (2) and column (3), *insert* the following serial No. and entries relating thereto in column (1), column (2) and column (3) respectively:—

"55A.	Plant growth promoters and plant nutrients.	Four";

(14) in the entry in column (3) against serial No. 61 in column (1), for the word "Twenty", *insert* the word "Seven";

(15) for serial No. 68 in column (1) and the entries relating thereto in column (2) and column (3), *substitute* the following serial No. in column (1) and entries relating thereto in column (2) and column (3) respectively:—

"68.	(i) Sound transmitting or wireless reception equipment, instrument and apparatus and any combination thereof including amplifier and loudspeaker, but excluding— (a) cellular phone and pager; (b) any item separately specified elsewhere in this Schedule or in any other Schedule.	Twenty
	(ii) Cellular phone and pager.	Four";

(16) against serial No. 78 in column (1), *omit* the entries relating thereto in column (2) and column (3);

(17) in the entry in column (3) against serial No. 81 in column (1), for the word "Twenty", *substitute* the word "Twelve";

(18) after serial No. 81 in column (1) and the entries relating thereto in column (2) and column (3), *insert* the following serial No. and entries relating thereto in column (1), column (2) and column (3) respectively:—

"81A.	Vacuum flasks of all kinds and descriptions including refills for such flasks and other thermally insulated flasks, containers and vessels including thermoses, thermic jugs, ice buckets or boxes, urns and receptacles to keep food or beverage or other articles, hot or cold, and components and accessories thereof.";	Fifteen";

(19) in the entry in column (3) against serial No. 83 in column (1), for the word "Twenty", *substitute* the word "Fifteen".

2. Clause (7) and clause (10) of this notification shall come into force and shall be deemed to have come into force with effect from the 1st day of May, 1995, and the remaining clauses shall come into force with effect from the 15th day of July, 1996.

By order of the Governor,

A. GUPTA,

Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-I)/96/SAR-138**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 18] TUESDAY, JULY 9, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 1657-F.T. Calcutta, the 9th July, 1996.

NOTIFICATION

In exercise of the power conferred by sub-rule (2) of rule 210 of the West Bengal Sales Tax Rules, 1995, the Governor is pleased hereby to make the following amendments in this department notification No. 1110-F.T., dated the 20th April, 1995 (hereinafter referred to as the said notification):—

Amendments

In the said notification, in LIST-I of the TABLE,—

(1) after serial No. 26 in column (1) and the entries relating thereto in column (2) and column (3), *insert* the following serial No. in column (1) and entries relating thereto in column (2) and column (3) respectively:—

"26A. Electric fan, exhaust fan and air circulator. One unit of each.";

(2) after serial No. 55 in column (1) and the entries relating thereto in column (2) and column (3), *insert* the following serial No. in column (1) and entries relating thereto in column (2) and column (3) respectively:—

"55A. Plant growth promoters and plant nutrients. Rs. 500 by value.";

(3) after serial No. 81 in column (1) and the entries relating thereto in column (2) and column (3), *insert* the following serial No. in column (1) and entries relating thereto in column (2) column (3) respectively:—

"81A. Vacuum flasks of all kinds and descriptions including refills for such flasks and other thermally insulated flasks, containers and vessels including thermoses, thermic jugs, ice buckets or boxes, urns and receptacles to keep food or beverage or other articles, hot or cold, and components and accessories thereof. Two units.";

2. This notification shall come into force with effect from the 15th day of July, 1996.

By order of the Governor,

A. GUPTA,
Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-I)/96/SAR-139**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 18] TUESDAY, JULY 9, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
Taxation

No. 1658-F.T. Calcutta, the 9th July, 1996.

NOTIFICATION

WHEREAS the Governor is satisfied that it is necessary so to do in the public interest;

NOW, THEREFORE, in exercise of the power conferred by clause (a) of sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (74 of 1956), the Governor is pleased hereby to direct that the tax payable under the said Act on sales, in the course of inter-State trade or commerce, by a dealer having his place of business in West Bengal, from such place of business, of (i) inverter, (ii) generator, and (iii) laminated jute bags, shall be calculated at the rate of two *per centum* of the turnover of such dealer.

2. This notification shall come into force with effect from the 15th day of July, 1996.

By order of the Governor,

A. GUPTA,
Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-I)/96/SAR-140**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 18] TUESDAY, JULY 9, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 1659-F.T. Calcutta, the 9th July, 1996.

NOTIFICATION

WHEREAS the Governor is satisfied that it is necessary so to do in the public interest;

NOW, THEREFORE, in exercise of the power conferred by clause (a) of sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (74 of 1956), the Governor is pleased hereby to direct that no tax shall be payable under the said Act in respect of the sales, in the course of inter-State trade or commerce, by a dealer having his place of business in West Bengal, from such place of business, of drugs or medicines specified in the Table below, manufactured by him in his small scale industrial unit in West Bengal registered with the Directorate of Cottage and Small Scale Industries, Government of West Bengal.

TABLE

Sl. No.	*Description of drugs and medicines*
1.	Aminocaproic acid;
2.	Diazopam;
3.	Cloxacillin Sodium;
4.	Gentamycin;
5.	Trimethoprim sulphamethoxazole or combination thereof;
6.	Fluorouracil;
7.	Rifampicin;
8.	Pyoazinamide;
9.	Ampicillin;
10.	Isoniazide;
11.	Metronidazole;
12.	Tetracycline;
13.	Doxycycline;
14.	Chloramphenicol;
15.	Sulphacetamide;
16.	Cephalexin,

included in drugs and medicines, as specified in item (i) of serial No. 24 of Schedule IV to the West Bengal Sales Tax Act, 1994 (West Ben. Act XLIX of 1994).

Explanation.—The drugs and medicines mentioned in the Table shall include combination of two or more of such drugs or medicines in any form, but shall not include combination of drugs or medicines not specified in the Table.

2. This notification shall come into force with effect from the 15th day of July, 1996.

By order of the Governor,

A. GUPTA,
Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-141

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 18] TUESDAY, JULY 9, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 1660-F.T Calcutta, the 9th July, 1996.

NOTIFICATION

WHEREAS the Governor is satisfied that it is necessary so to do in the public interest;

NOW, THEREFORE, in exercise of the power conferred by clause (b) of sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (74 of 1956) (hereinafter referred to as the said Act), the Governor is pleased hereby to direct that with effect from the 15th day of July, 1996, in respect of all sales, made in the course of inter-State trade or commerce, by a registered dealer, of goods manufactured by him in his newly set up small scale industrial unit, no tax for any period specified in the third paragraph shall, subject to the restrictions and conditions referred to in the second paragraph, be payable.

2. For the purposes of eligibility of a registered dealer to get the benefit under this notification, the provisions of section 39 of the West Bengal Sales Tax Act, 1994 (West Ben. Act XLIX of 1994) and the conditions and restrictions laid down in the rules contained in Part I of Chapter XI of the West Bengal Sales Tax Rules, 1995, shall apply *mutatis mutandis*, and if the dealer does not possess a valid certificate of eligibility issued under the rules in the said Part I, he shall obtain a certificate of eligibility for the purpose of this notification in the same manner as prescribed in the rules in the said Part I.

3. The period for which a registered dealer's sales shall be eligible for exemption under this notification shall be—

(a) five years from the date of his first sale of goods manufactured in his newly set-up small scale industrial unit situated within the area of the Calcutta Metropolitan Planning Area as described in the First Schedule to the West Bengal Town and Country (Planning and Development) Act, 1979 (West Ben. Act XIII of 1979), or

(b) seven years from the date of his first sale of the goods manufactured in his newly set up small scale industrial unit situated at any area in West Bengal other than that referred to in clause (a).

Explanation.—The expression "newly set-up industrial unit" used in this notification shall have the same meaning as in the *Explanation* to rule 98 of the West Bengal Sales Tax Rules, 1996.

By order of the Governor,

A GUPTA,
Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-13**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 18] TUESDAY, JULY 9, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1234-L.—9th July, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act X of 1996

THE WEST BENGAL FINANCE ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 9th July, 1996.]

An Act to amend the Indian Stamp Act, 1899, in its application to West Bengal, the Bengal Electricity Duty Act, 1935, the Bengal Agricultural Income-tax Act, 1944, the West Bengal Primary Education Act, 1973, the West Bengal Rural Employment and Production Act, 1976, the West Bengal State Tax on Professions, Trades, Callings and Employments Act, 1979, the West Bengal Luxury Tax Act, 1994, and the West Bengal Sales Tax Act, 1994.

WHEREAS it is expedient to amend the Indian Stamp Act, 1899, in its application to West Bengal, the Bengal Electricity Duty Act, 1935, the Bengal Agricultural Income-tax Act, 1944, the West Bengal Primary Education Act, 1973, the West Bengal Rural Employment and Production Act, 1976, the West Bengal State Tax on Professions, Trades, Callings and Employments Act, 1979, the West Bengal Luxury Tax Act, 1994, and the West Bengal Sales Tax Act, 1994, for the purposes and in the manner hereinafter appearing;

2 of 1899.
Ben. Act X of 1935.
Ben. Act IV of 1944.
West Ben. Act XLIII of 1973.
West Ben. Act XIV of 1976.
West Ben. Act VI of 1979.
West Ben. Act XV of 1994.
West Ben. Act XLIX of 1994.

The West Bengal Finance Act, 1996.

(Sections 1-3.)

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Finance Act, 1996.

(2) It shall come into force on such date, or shall be deemed to have come into force on such date not earlier than the first day of May, 1995, as the State Government may, by notification in the *Official Gazette*, appoint, and different dates may be appointed for different provisions of this Act.

Application of Act 2 of 1899

2. (1) The Indian Stamp Act, 1899 (hereinafter referred to as the principal Act) shall, in its application to West Bengal, be amended for the purpose and in the manner hereinafter provided.

Amendment of Schedule 1A

(2) In Schedule 1A to the principal Act, for article 23, the following article shall be substituted:—

23. Conveyance [as defined by section 2(10)], not being a transfer charged or exempted under No. 62.	five *per centum* of the market values.

Exemptions.

(a) Assignment of copyright by entry made under the Copyright Act, 1957, section 18. — 14 of 1957.

(b) Co-partnership Deed. *See* partnership (No. 46).".

Amendment of Ben Act X of 1935.

3. In the Bengal Electricity Duty Act, 1935,—

(1) for section 3A, the following section shall be substituted:—

'Assessment of electricity duty payable by a licensee or a person required to furnish return under section 6

3A. (1) If no return in respect of any period is submitted by a licensee or a person required to submit return under section 6 or if the return submitted by such licensee or person appears to the authority prescribed by rules under this Act to be incorrect or incomplete, such authority shall, after giving such licensee or person, as the case may be, a reasonable opportunity of being heard, proceed in such manner as may be prescribed to assess to the best of his judgment the amount of electricity duty payable under this Act by such licensee or person.

(2) The amount of electricity duty assessed under sub-section (1) for a period, less the sum, if any, already paid in respect of the said period, shall be paid by the licensee or the person by such date as may be specified in a notice issued by the authority in this behalf, and the date to be so specified shall be ordinarily not less than thirty days from the date of service of such notice.

(3) No assessment under this section shall be made—

(a) after the expiry of four years, from the end of the year comprising the period or periods in respect of which the assessment is made, or

(b) after the 31st day of December, 1998, whichever is later.

Explanation.—For the purpose of this section, "year" means the year commencing on the first day of April and ending on the last day of March.';

(2) after section 7C, the following section shall be inserted:—

"Revision by Appellate and Revisional Board

7D. (1) Any licensee or person objecting to an order passed under section 7C may apply for revision of such order to the West Bengal Commercial Taxes Appellate and Revisional Board constituted under section 6 of the West Bengal Sales Tax Act, 1994 (hereinafter referred to as the Appellate and Revisional Board) within sixty days of the date on which such order is communicated to him or within such further period as may be allowed by the Appellate and Revisional Board for reasons shown to its satisfaction. — West Ben. Act XLIX of 1994

The West Bengal Finance Act, 1996.

(Section 3.)

(2) The provisions of section 6 referred to in sub-section (1) and the rules and the regulations made thereunder shall apply *mutatis mutandis* in the matter of submission of application for revision made under this section and disposal thereof.";

(3) in section 8,—

(a) after the words "electricity duty", the words "or interest" shall be inserted;

(b) after clause (b), the following clause shall be inserted:—

"(c) in the case of interest, from the licensee liable to pay such interest under section 5A.";

(4) after section 8, the following section shall be inserted:—

'Special mode of recovery.

8A. (1) Notwithstanding any proceeding being initiated under section 8 for recovery of any amount of electricity duty, the authority prescribed under section 3A (hereinafter referred to as the said authority) may, at any time or from time to time, by notice in the prescribed form, require any person from whom money is due or may become due to a defaulter or any person who holds or may subsequently hold money for, or on account of, such defaulter, to deposit into a Government Treasury or the Reserve Bank of India under the appropriate head of account, either forthwith upon the money becoming due or being held or at or within the time specified in the notice (not being before the money becomes due or is held), so much of the money as is sufficient to pay the amount due from such defaulter in respect of the arrears of such electricity duty and interest, if any, or the whole of the money when such money is equal to or less than that amount.

(2) A notice under this section may be issued to any person who holds or may subsequently hold any money for, or on account of, the defaulter jointly with any other person, and for the purposes of this section, the shares of the joint-holders in such account shall be presumed, until the contrary is proved, to be equal.

(3) A copy of the notice shall be forwarded to the defaulter at his last address known to the said authority and, in the case of a joint account, to all the joint-holders at their last addresses known to the said authority.

(4) Save as otherwise provided in this section, every person to whom a notice is issued under this section shall be bound to comply with such notice, and, in particular, where any such notice is issued to a post office, banking company or insurer, it shall not be necessary for any pass book, deposit receipt, policy or any other document to be produced for the purpose of any entry, endorsement or the like being made before payment is made, notwithstanding any rule, practice or requirement to the contrary.

(5) Any claim respecting any money, which is due or to become due or is being held or may subsequently be held and in relation to which a notice under this section has been issued, arising after the date of such notice, shall be void as against any demand contained in such notice.

(6) Where a person to whom a notice sent under this section proves to the satisfaction of the said authority that the sum demanded or any part thereof is not due to the defaulter or that he does not hold any money for, or on account of, the defaulter or that the money demanded or any part thereof is not likely to be due to the defaulter or be held for, or on account of, the defaulter, then, nothing contained in this section shall be deemed to require such person to deposit any such sum or part thereof, as the case may be.

The West Bengal Finance Act, 1996.

(Sections 4-6.)

(7) The said authority may, at any time or from time to time, amend or revoke any notice issued under this section or extend the time for making any payment in pursuance of such notice.

(8) The Government Treasury or the Reserve Bank of India shall grant a receipt for any amount paid in compliance with a notice issued under this section, and the person so paying the amount shall be fully discharged from his liability to the defaulter to the extent of the amount so paid.

(9) Any person discharging any liability to the defaulter after receipt of a notice under this section shall be personally liable to the said authority to the extent of his own liability to the defaulter so discharged or to the extent of the liability of such defaulter any amount due under this Act, whichever is less.

(10) If the person to whom a notice under this section is sent fails to make payment in pursuance thereof, he shall be deemed to be a defaulter in respect of the amount specified in the notice, and further proceedings may be taken against him for the recovery of the amount as if it were an arrear due from him, and the notice shall have the same effect as attachment of a debt.

(11) The said authority may apply to the court in whose custody there is money belonging to the defaulter for payment to him of the entire amount of such money or, if it is more than the amount of electricity duty or interest due, an amount sufficient to discharge the liability of the amount of electricity duty or interest:

Provided that any dues exempt from attachment in execution of a decree of a Civil Court under section 60 of the Code of Civil Procedure, 1908, shall be exempt from any payment required to be made under this section. 5 of 1908.

Explanation.—For the purposes of this section, "defaulter" means a licensee or a person who fails to make full payment of the amount of electricity duty due from him on assessment under section 3A or the amount of interest due from a licensee on determination under section 5A.'.

Amendment of Ben Act IV of 1944.

4. In the Bengal Agricultural Income-tax Act, 1944,—

(1) in section 7,—

(a) sub-section (1) of section 7 shall be renumbered as section 7;

(b) sub-section (2) shall be omitted;

(2) in the Schedule, for paragraph B, the following paragraph shall be substituted:—

"B. In the case of every domestic company, firm or other association of persons—

	Rate of tax
on the whole of the total agricultural income.	50 paise in the rupee,".

Amendment of West Ben. Act XLIII of 1973.

5. In the West Bengal Primary Education Act, 1973, in section 78, in sub-section (2), in clause (b), for the words "five *per centum*" the words "seven *per centum*" shall be substituted.

Amendment of West Ben. Act XIV of 1976.

6. In the West Bengal Rural Employment and Production Act, 1976, in section 4, in sub-section (2), in clause (b), for the words "thirty-five *per centum*", the words "thirty-eight *per centum*" shall be substituted.

The West Bengal Finance Act, 1996.

(Section 7.)

Amendment of West Ben. Act VI of 1979.

7. In the West Bengal State Tax on Professions, Trades, Callings and Employments Act, 1979,—

(1) in section 5,—

(a) for sub-section (4), the following sub-section shall be substituted:—

"(4) (a) Every employer required to obtain a certificate of registration shall, within ninety days of his becoming liable to pay tax, apply for a certificate of registration to the prescribed authority in the prescribed form, and the prescribed authority shall, after making such enquiry as may be necessary, within thirty days of the receipt of the application, grant him such certificate, if the application is in order.

(b) Every person referred to in sub-section (2) or sub-section (3) shall, within ninety days of his becoming liable to pay tax, pay into the Government Treasury or the Reserve Bank of India, Calcutta, the tax payable by him under this Act and apply for a certificate of enrolment to the prescribed authority in the prescribed form along with a receipted copy of the challan as a proof of payment of such tax.

(c) The prescribed authority, within thirty days of the receipt of the application referred to in clause (b), shall, grant the person a certificate of enrolment in the prescribed manner.

(d) The prescribed authority may from time to time amend any certificate of registration or a certificate of enrolment in the prescribed manner when a registered employer or enrolled person applies to the prescribed authority in the prescribed form for such amendment.";

(2) to section 8, the following proviso shall be added:—

"Provided that the enrolled person, who has made payment of tax according to clause (b) of sub-section (4) of section 5 in respect of any year, shall not make any payment of tax under this section for such year if the rate of tax at which such tax was payable for such year remains unchanged.";

(3) in the Schedule,—

(1) for the entries in column 2, and column 3 against serial No. 1, the following entries in column 2 and column 3 shall be substituted:—

"Salary and wage earners. Such persons whose monthly salaries or wages are—

(i) Rs. 1250 or less	..	NIL
(ii) Rs. 1251 or more, but less than Rs. 1501	..	Rs. 12 per month.
(iii) Rs. 1501 or more, but less than Rs. 2001	..	Rs. 18 per month.
(iv) Rs. 2001 or more, but less than Rs. 3001	..	Rs. 25 per month.
(v) Rs. 3001 or more, but less than Rs. 5001	..	Rs. 30 per month.
(vi) Rs. 5001 or more, but less than Rs. 8001	..	Rs. 40 per month.
(vii) Rs. 8001 and above	..	Rs. 75 per month.";

(2) for the entries in column 2, after the words "Where the annual gross income of the persons mentioned above is—", in the said column, and the corresponding entries in column 3, against serial No. 2, the following entries in column 2 and column 3 shall be substituted:—

"(i) Rs. 15000 or less	..	NIL
(ii) Rs. 15001 or more, but less than Rs. 18001	..	Rs. 144 per annum.
(iii) Rs. 18001 or more, but less than Rs. 24001	..	Rs. 216 per annum.
(iv) Rs. 24001 or more, but less than Rs. 36001	..	Rs. 300 per annum.
(v) Rs. 36001 or more, but less than Rs. 60001	..	Rs. 360 per annum.
(vi) Rs. 60001 or more, but less than Rs. 96001	..	Rs. 480 per annum.
(vii) Rs. 96001 and above	..	Rs. 900 per annum.";

(3) for the entries in column 2, after the words "Where the annual gross income of the persons mentioned above is—", in the said column, and the corresponding entries in column 3, against serial No. 3, the following entries in column 2 and column 3 shall be substituted:—

"(i) Rs. 15000 or less	..	NIL
(ii) Rs. 15001 or more, but less than Rs. 18001	..	Rs. 144 per annum.
(iii) Rs. 18001 or more, but less than Rs. 24001	..	Rs. 216 per annum.
(iv) Rs. 24001 or more, but less than Rs. 36001	..	Rs. 300 per annum.
(v) Rs. 36001 or more, but less than Rs. 60001	..	Rs. 360 per annum.
(vi) Rs. 60001 or more, but less than Rs. 96001	..	Rs. 480 per annum.
(vii) Rs. 96001 and above	..	Rs. 900 per annum.";.

The West Bengal Finance Act, 1996.

(Sections 8, 9.)

Amendment of West Ben Act XV of 1994

8. In the West Bengal Luxury Tax Act, 1994, in the Schedule, after serial No. 5 and the entry relating thereto, the following serial No. and entry relating thereto shall be inserted:—

"6 Mill-made textile fabrics priced at Rs. 1,000 or more per metre.".

Amendment of West Ben Act XLIX of 1994

9. In the West Bengal Sales Tax Act, 1994,—

(1) in section 2, clause (12) shall be omitted;

(2) in section 9, in sub-section (3),—

(a) in clause (a), for the figures "20,000", the figures "30,000" shall be substituted;

(b) in clause (c), for the figures "50,000", the figures "1,00,000" shall be substituted;

(c) in clause (e), for the figures "2,00,000", the figures "5,00,000" shall be substituted;

(3) in section 16, for the proviso, the following provisos shall be substituted:—

"Provided that there shall not be any levy of surcharge on tax payable by a dealer under clause (a), clause (b), and clause (c), of sub-section (2) of section 17:

Provided further that the aggregate of the amount of tax and surcharge payable by any dealer on the sale of goods referred to in section 14 of the Central Sales Tax Act, 1956, shall not exceed the rate specified in section 15 of that Act."; 74 of 1956

(4) in section 17,—

(a) in sub-section (1),—

(i) for the word, figure and brackets "sub-section (2),", the words, figures, letter and brackets "sub-section (2) or sub-section (2A), as the case may be," shall be substituted;

(ii) after clause (g), the following clause shall be inserted:—

"(gg) at the rate fixed in column (3), against the corresponding entry of goods in column (2), of Schedule VIIIA on such part of his taxable turnover of sales as represents sales of any such goods;";

(b) in sub-section (2),—

(i) in clause (a), in sub-clause (ii), for item (J), the following item shall be substituted:—

"(J) goods specified in Schedule VIIIA,";

(ii) clause (i) shall be omitted;

(iii) in the first proviso, for the words, letter and brackets "the provisions of clause (a)", the words, letters, figure and brackets ",except such sales referred to in sub-clause (i) of clause (a) as may be prescribed, the provisions of clause (a)" shall be substituted;

(iv) in the second proviso, for the words, letter and brackets "the provisions of clause (b)", the words, letters, figure and brackets ",except such sales referred to in sub-clause (i) of clause (b) as may be prescribed, the provisions of clause (b)" shall be substituted;

(v) the third proviso shall be omitted;

(c) after sub-section (2), the following sub-section shall be inserted:—

"(2A) Notwithstanding the rate of tax fixed under clause (gg) of sub section (1), in column (3), against the corresponding entry of goods in column (2), of Schedule VIIIA, the tax payable by a dealer shall be levied on such part of his taxable turnover of sales as represents sales of such goods, other than those referred to in sub-clause (c) of clause (30) of section 2, at the rate of tax fixed in column (4), against the corresponding entry of goods in column (2), of the said Schedule, where he proves to the satisfaction of the Commissioner that such goods have been purchased by him in West Bengal on or after the date on which such goods are specified in such Schedule from a registered dealer and furnishes in the prescribed manner a declaration containing prescribed particulars in the prescribed

The West Bengal Finance Act, 1996.

(Section 9.)

form, obtainable in such manner and subject to such conditions and restrictions as may be prescribed, from the prescribed authority, duly filled up and signed by the registered dealer from whom such goods are purchased.";

(5) section 19 shall be omitted;

(6) in section 26,—

(a) sub-section (3) shall be omitted;

(b) sub-section (4) shall be omitted;

(7) in section 27, in sub-section (1), for the words "ten thousand", the words "twenty-five thousand" shall be substituted;

(8) in section 31,—

(a) in sub-section (1), for the words "two *per centum*", the words "three *per centum*" shall be substituted;

(b) in sub-section (2), for the words "two *per centum*", the words "three *per centum*" shall be substituted;

(9) in section 32, in sub-section (1), for the words "two *per centum*" , the words "three *per centum*" shall be substituted;

(10) in section 34, for the words "two *per centum*" , the words "three *per centum*" shall be substituted;

(11) in section 40,—

(a) for the second proviso to sub-section (1), the following proviso shall be substituted:—

"Provided further that the period prescribed in this sub-section and sub-section (2), may, subject to such conditions and restrictions as may be prescribed,—

(i) be extended by two years in the case of such industrial units as may be prescribed, where investment in fixed capital assets exceeds one hundred crore rupees, or

(ii) be extended by such period, not exceeding one year, in the case of such industrial units, as may be prescribed, where pollution abatement measures are adopted.";

(b) in sub-section (2), the words, figure and brackets "or eleven years in the case of the industrial units referred to in the second proviso to sub-section (1)," shall be omitted;

(c) to sub-section (3), the following proviso shall be added:—

"Provided that the amount eligible for deferment of payment of tax in the case of industrial units which have adopted pollution abatement measures, may be enhanced to such extent and subject to such restrictions and conditions as may be prescribed.";

(d) in sub-section (8), for the words "two *per centum*", the words "three *per centum*" shall be substituted;

(e) in the *Explanation*, in clause (d),—

(i) in sub-clause (i), after the words "productive equipment,", the words "or pollution control equipments," shall be inserted;

(ii) in sub-clause (ii), after the words "productive equipment,", the words "or pollution control equipments," shall be inserted;

(12) in section 41, in sub-section (1), for the third proviso, the following provisos shall be substituted:—

"Provided also that the period prescribed under the first proviso may, subject to such conditions and restrictions as may be prescribed,—

(i) be extended by two years in the case of such industrial units as may be prescribed, where investment in fixed capital assets exceeds one hundred crore rupees, or

The West Bengal Finance Act, 1996.

(Section 9.)

(ii) be extended by such period, not exceeding one year, in the case of such industrial units, as may be prescribed, where pollution abatement measures are adopted:

Provided also that the amount eligible for remission of tax in the case of industrial units which have adopted pollution abatement measures, may be enhanced to such extent and subject to such restrictions and conditions as may be prescribed.";

(13) in the *Explanation* to section 42, after the words "productive equipments", wherever they occur, the words "and pollution control equipments" shall be inserted;

(14) in the *Explanation* to section 43, after the words "productive equipments" in the two places where they occur, the words "and pollution control equipments" shall be inserted;

(15) in section 52, in sub-section (10), for the words "two *per centum*", the words "three *per centum*" shall be substituted;

(16) in section 66, after the words "accounts, registers or documents of the dealer", wherever they occur, the words "including computerised or electronic accounts maintained on any computers or electronic media" shall be inserted;

(17) in section 96,—

(a) in the marginal note, for the words "by transporter,", the words "by dealer, transporter," shall be substituted;

(b) after the words "every person", the words "dealing in," shall be inserted;

(18) after section 98, the following section shall be inserted:—

"Information to be furnished by dealers in respect of transfer of goods otherwise than by way of sale.

98A. If, in the opinion of the State Government, it is necessary to obtain information relating to transfer of goods otherwise than by way of sale in West Bengal, it may, by notification, call upon dealers or such class or classes of dealers as may be specified in the notification to furnish such information relating to such goods, in such manner, at such intervals, for such period and to such authority, as may be specified in the notification.";

(19) in Schedule I,—

(a) after serial No. 4 in column (1) and the entry relating thereto in column (2), the following serial No. and entry relating thereto shall be inserted in column (1) and column (2) respectively:—

"4A. Biscuit other than biscuit manufactured, made or processed in a factory as defined in the Factories Act, 1948."; 63 of 1948.

(b) for serial No. 22 in cloumn (1) and the entry relating thereto in column (2), the following serial No. and entry relating thereto in column (1) and column (2) shall be substituted:—

"22. Contraceptive device and contraceptive articles of any name and description, such as condom, contraceptive pill, contraceptive jelly and the like.";

(c) after serial No. 24 in column (1) and the entry relating thereto in column (2), the following serial No. in column (1) and entry relating thereto in column (2) shall be inserted:—

"24A. Cervical spinal collar, brace and orthose, hand splint and fracture brace.";

(d) after serial No. 28 in column (1) and the entry relating thereto in column (2), the following serial No. in column (1) and entry relating thereto in column (2) shall be inserted:—

The West Bengal Finance Act, 1996.

(Section 9.)

"28A. Colostomy or dialysis bag.";

(e) against serial No. 43 in column (1), in the entry relating thereto in column (2), after the words "kerosene lamp", the words "and accessories and components thereof" shall be inserted;

(f) after serial No. 49 in column (1) and the entry relating thereto in column (2), the following serial No. in column (1) and entry relating thereto in column (2) shall be inserted:—

"49A. Life-saving diving equipments.";

(20) in Schedule II,—

(a) against serial No. 3 in column (1), in the entry in column (2), after the word "descriptions", the words", but excluding coir carpets and jute carpets" shall be inserted;

(b) against serial No. 6 in column (1), the entry relating thereto in column (2) shall be omitted;

(c) against serial No. 13 in column (1), the entry relating thereto in column (2) shall be omitted;

(21) in Schedule III,—

(a) serial No. 4A in column (1) and the entry relating thereto in column (2) shall be omitted;

(b) against serial No. 13 in column (1), the entry relating thereto in column (2) shall be omitted;

(c) against serial No. 14 in column (1), the entry relating thereto in column (2) shall be omitted;

(d) after serial No. 14 in column (1) and the entry relating thereto in column (2), the following serial Nos. in column (1) and entries relating thereto in column (2) shall be inserted:—

"15. Fancy leather goods, that is to say, brief-case, attache-case, ornamented vanity-bag and hand-bag made of leather.

16. Vacuum cleaner";

(22) in Schedule IV,—

(a) for the entry in column (2) against serial No. 7 in column (1), the following entry shall be substituted:—

"7. Biscuits of all varieties, except those specified in any other Schedule.";

(b) for item (i) and the entry relating thereto in column (2) against serial No. 24 in column (1), the following item and entry relating thereto in column (2) shall be substituted:—

"(i) Drugs and medicines except those included in the goods specified elsewhere in this Schedule or in any other Schedule.";

(c) after serial No. 26 in column (1) and the entry relating thereto in column (2), the following serial No. in column (1) and entry relating thereto in column (2) shall be inserted:—

"26A. Electric fan, exhaust fan and air circulator.";

(d) against serial No. 34 in column (1), the entry relating thereto in column (2) shall be omitted;

(e) for serial No. 37 in cloumn (1) and the entry relating thereto in column (2), the following serial No. in column (1) and entry relating thereto in column (2) shall be substituted:—

"37. Groundnut oil, soyabean oil, sunflower oil, *sesamum* or *til* oil, rice bran oil and any other vegetable oil, but excluding those vegetable oils included in the goods specified elsewhere in this Schedule or in any other Schedule.";

The West Bengal Finance Act, 1996.

(Section 9.)

(f) against serial No. 39 in column (1), in the entry in column (2), after the words "including ice-candy", the words "and frozen dessert" shall be inserted;

(g) serial No. 51 in column (1) and the entry relating thereto in column (2) shall be omitted;

(h) after serial No. 55 in column (1) and the entry relating thereto in column (2), the following serial No. and entry relating thereto shall be inserted in column (1) and column (2) respectively:—

"55A. Plant growth promoters and plant nutrients.";

(i) against serial No. 78 in column (1), the entry relating thereto in column (2) shall be omitted;

(j) after serial No. 81 in column (1) and the entry relating thereto in column (2), the following serial No. and entry relating thereto shall be inserted in column (1) and column (2) respectively:—

"81A. Vacuum flasks of all kinds and descriptions including refills for such flasks and other thermally insulated flasks, containers and vessels including thermoses, thermic jugs, ice buckets or boxes, urns and receptacles to keep food or beverage or other articles, hot or cold, and components and accessories thereof";

(23) in Schedule V, against serial No. 2 in column (1), the entry relating thereto in column (2) shall be omitted;

(24) in Schedule VI,—

(a) in serial No. 2 in column (1), in the entry relating thereto in column (2), after the words "*Hawai Chappal*,", the words "*chappals* and sandals made of polyvinyl chloride (P.V.C.) or plastic," shall be inserted;

(b) after serial No. 3 in column (1) and the entry relating thereto in column (2), the following serial Nos. in column (1) and entries relating thereto in column (2) shall be inserted:—

"4. Chemicals including naphtha, caustic soda, paraffin, dyes, hydrogen peroxide, industrial gas and solvent oils, but excluding those specified in this Schedule or in any other Schedule.

5. Bamboo and cane.

6. Dolomite.

7. Limestone.

8. Calculator.

9. Gymnasium apparatus and sports goods except those specified in any other Schedule.";

(25) in Schedule VII,—

(a) in serial No. 2 in column (1), in the entry relating thereto in column (2), after the words "Jute goods", the words "except those specified in this Schedule or in any other Schedule" shall be inserted;

(b) after serial No. 4 in column (1) and the entry relating thereto in column (2), the following serial Nos. and entries relating thereto shall be inserted in column (1) and column (2) respectively:—

"5. Articles made of coir except those specified in this Schedule or in any other Schedule.

6. Coir carpet and jute carpet.

7. Pollution control equipments.";

(26) in Schedule VIII,—

(a) in serial No. 12 in column (1), in the entry relating thereto in column (2) after the words "*Hawai Chappal*", the words, *chappals* and sandals made of polyvinyl chloride (P.V.C.) or plastic" shall be inserted;

The West Bengal Finance Act, 1996.

(Section 9.)

(b) after serial No. 18 in column (1) and the entries relating thereto in column (2) and column (3), the following serial Nos. and entries relating thereto shall be inserted in column (1), column (2) and column (3) respectively:—

"19. Toys other than toys, whether electronic or not, specified in any other Schedule. Ten

20. Printed materials. Ten.";

(27) after Schedule VIII, the following Schedule shall be inserted:—

"SCHEDULE VIIIA

[*See* section 17(1) (gg) and section 17(2A).]

Goods on sale of which tax is leviable at the rate fixed in column (3), or in column (4) when provisions of section 17(2A) apply, against the corresponding entry of such goods in column (2), of this Schedule

Serial No.	Description of goods	Rates of tax (*per centum*) [*See* section 17(1)(gg)]	Rate of tax (*per centum*) [*See* section 17(2A)]
(1)	(2)	(3)	(4)
1.	Clocks, time-pieces and watches of all types and parts thereof.	Seven	Two
2.	Furniture, almirahs, and safes, made wholly or principally of aluminium, stainless steel, iron and steel.	Fifteen	Four
3.	Paints or all kinds including acrylic and plastic emulsion paints, lacquers, distempers, cement colours or paints, enamels, liquid paints, stiff paste paints and powder paints, whether ready for use or not.	Twelve	Three
4.	Varnishes, vegetable paint removers and stainers of all kind.	Twelve	Three";

(28) in ScheduleX,—

(a) in rule 5, in clause (a), for the words "two *per centum*", the words "three *per centum*" shall be substituted;

(b) in rule 60, in sub-rule (1), in column (a), for the words "twenty-four *per centum*", the words "thirty-six *per centum*" shall be substituted;

(c) in rule 64, for the words "twenty-four *per centum*", the words "thirty-six *per centum per annum*" shall be substituted;

(d) in rule 69, in sub-rule (3), for the words "twenty-four *per centum*", the words "thirty-six *per centum*" shall be substituted.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No. WB(Part-III)/96/SAR-14

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 19] WEDNESDAY, JULY 10, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1240-L.—10th July, 1996.—The following Act of the West Bengal Legislature, having been assented to by the President of India, is hereby published for general information:—

West Bengal Act XI of 1996

THE MURSHIDABAD ESTATE (MANAGEMENT OF PROPERTIES) AND MISCELLANEOUS PROVISIONS (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the President of India was first published in the *Calcutta Gazette, Extraordinary,* of the 10th July, 1996.]

An Act to amend the Murshidabad Estate (Management of Properties) and Miscellaneous Provisions Act, 1980.

WHEREAS it is expedient to amend the Murshidabad Estate (Management of Properties) and Miscellaneous Provisions Act, 1980, for the purposes and in the manner hereinafter appearing; West Ben. Act LV of 1980

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the Murshidabad Estate (Management of Properties) and Miscellaneous Provisions (Amendment) Act, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette,* appoint.

The Murshidabad Estate (Management of Properties) and Miscellaneous Provisions (Amendment) Act, 1996.

(Sections 2-5.)

Amendment of section 2 of West Ben. Act LV of 1980.

2. In section 2 of the Murshidabad Estate (Management of Properties) and Miscellaneous Provisions Act, 1980 (hereinafter referred to as the principal Act),—

(a) after clause (e), the following clause shall be inserted:—

'(ee) "premises" means any land or building or part of a building, and includes—

(a) the garden, ground and out-house, if any, appertaining to such building or part of a building, and

(b) any fitting affixed to such building or part of a building for the more beneficial enjoyment thereof;';

(b) after clause (h), the following clause shall be inserted:—

'(i) "unauthorised occupation", in relation to any premises or other immovable properties, means the occupation by any person of the premises or other immovable properties without authority for such occupation, and includes the continuance in occupation by any person of the premises or other immovable properties after the authority (whether by way of grant or any other mode of transfer) under which he was allowed to occupy the premises or other immovable properties has expired or has been determined for any reason whatsoever.'.

Amendment of section 4.

3. In section 4 of the principal Act, for sub-section (6), the following sub-section shall be substituted:—

"(6) Save as otherwise provided in this Act, any suit or other legal proceeding, except a suit or other legal proceeding against an order of eviction from any premises or other immovable properties under section 9, for the enforcement of any right or remedy in respect of any of the Estate properties may be instituted in any court by or against the State Government, as the case may be, and not otherwise.".

Amendment of section 8.

4. In section 8 of the principal Act,—

(a) in sub-section (1), for the words and brackets "any premises included in the Estate properties (hereinafter referred to as the premises)", the words and brackets "any premises or other immovable properties included in the Estate properties (hereinafter referred to as the premises or other immovable properties)" shall be substituted;

(b) in sub-section (2), in clause (b), for the words "the premises,", the words "the premises or other immovable properties," shall be substituted;

(c) in sub-section (3), for the words "the premises,", the words "the premises or other immovable properties," shall be substituted;

(d) in sub-section (4), for the words "in occupation of the premises,", the words "in unauthorised occupation of the premises or other immovable properties," shall be substituted.

Substitution of new section for section 9.

5. For section 9 of the principal Act, the following section shall be substituted:—

"Eviction of unauthorised occupants.

9. (1) If, after considering the cause, if any, shown by any person in pursuance of a notice under section 8 and any evidence he may produce in support of the same and after giving him a reasonable opportunity of being heard, the Estate Manager is satisfied that the premises or other immovable properties are in unauthorised occupation,

The Murshidabad Estate (Management of Properties) and Miscellaneous Provisions (Amendment) Act, 1996.

(Section 6.)

the Estate Manager may, on a date to be fixed for the purpose, make an order of eviction, for reasons to be recorded therein, directing that the premises or other immovable properties shall be vacated, and the possession thereof shall be delivered to the Estate Manager or any other officer duly authorised by the Estate Manager in this behalf, by all persons who may be in occupation thereof or any part thereof, within such period as may be specified in the order, and furnish a copy of the order, if applied for, to all such persons, free of cost, and also cause a copy of the order to be affixed on the outer door or some other conspicuous part of the premises or other immovable properties.

(2) If any person refuses or fails to comply with the order of eviction made under sub-section (1) within the period specified in the order or within fifteen days of its publication under sub-section (1), whichever is later, the Estate Manager or any other officer duly authorised by the Estate Manager in this behalf may evict that person from, and take possession of, the premises or other immovable properties and may, for that purpose, use such force as may be necessary.

(3) The cost of taking possession of the premises or other immovable properties under sub-section (2) shall be payable by the person from whom possession of the premises or other immovable properties has been taken within such period as the Estate Manager may by order direct.".

Insertion of new sections 9A and 9B.

6. After section 9 of the principal Act, the following sections shall be inserted:—

"Disposal of property.

9A. (1) Where any persons have been evicted from any premises or other immovable properties under section 9, the Estate Manager may, after giving fourteen days' notice to the persons from whom possession of the premises or other immovable properties has been taken, remove or cause to be removed or dispose of by public auction any property remaining on such premises.

(2) Where any property is sold under sub-section (1), the sale proceeds shall, after deducting the expenses of the sale and the amount, if any, due to the Estate Manager on account of arrears of rent or damages or costs, be paid to such person or persons as may appear to the Estate Manager to be entitled to the same.

Appeal.

9B. (1) An appeal shall lie from every order of the Estate Manager made under section 9 to an appellate officer who shall be the district judge of the district in which the premises or other immovable properties are situate or such other judicial officer in that district of not less than ten years' standing as the district judge may designate in this behalf.

(2) An appeal under sub-section (1) shall be preferred within fifteen days from the date of publication of the order under that sub-section:

Provided that the appellate officer may entertain the appeal after the expiry of the said period of fifteen days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(3) Where an appeal is preferred from an order of the Estate Manager, the appellate officer may stay the enforcement of that order for such period and on such conditions as he deems fit.

(4) Every appeal under this section shall be disposed of by the appellate officer as expeditiously as possible.

(5) The costs of any appeal under this section shall be in the discretion of the appellate officer.

The Murshidabad Estate (Management of Properties) and Miscellaneous Provisions (Amendment) Act, 1996. -

(Section 7.)

(6) For the purposes of this section, the City of Calcutta as defined in clause (3) of section 2 of the City Civil Court Act, 1953, shall be deemed to be a district and the Chief Judge or the principal judge of the City Civil Court therein shall be deemed to be the district judge of the district.". West Ben. Act XXI of 1953.

Insertion of new section 14A.

7. After section 14 of the principal Act, the following section shall be inserted:—

"Bar of jurisdiction of Civil Courts.

14A. No Civil Court shall have jurisdiction to deal with or to decide any question which is required to be dealt with or to be decided under the provisions of this Act.".

By order of the Governor,

S. MAITRA,

Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-III)/96/SAR-14

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 19] WEDNESDAY, JULY 10, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1240-L.—10th July, 1996.—The following Act of the West Bengal Legislature, having been assented to by the President of India, is hereby published for general information:—

West Bengal Act XI of 1996

THE MURSHIDABAD ESTATE (MANAGEMENT OF PROPERTIES) AND MISCELLANEOUS PROVISIONS (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the President of India was first published in the *Calcutta Gazette, Extraordinary,* of the 10th July, 1996.]

An Act to amend the Murshidabad Estate (Management of Properties) and Miscellaneous Provisions Act, 1980.

WHEREAS it is expedient to amend the Murshidabad Estate (Management of Properties) and Miscellaneous Provisions Act, 1980, for the purposes and in the manner hereinafter appearing; West Ben. Act LV of 1980.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the Murshidabad Estate (Management of Properties) and Miscellaneous Provisions (Amendment) Act, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette,* appoint.

The Murshidabad Estate (Management of Properties) and Miscellaneous Provisions (Amendment) Act, 1996.

(Sections 2-5.)

Amendment of section 2 of West Ben Act LV of 1980

2. In section 2 of the Murshidabad Estate (Management of Properties) and Miscellaneous Provisions Act, 1980 (hereinafter referred to as the principal Act),—

(a) after clause (e), the following clause shall be inserted:—

'(ee) "premises" means any land or building or part of a building, and includes—

(a) the garden, ground and out-house, if any, appertaining to such building or part of a building, and

(b) any fitting affixed to such building or part of a building for the more beneficial enjoyment thereof;';

(b) after clause (h), the following clause shall be inserted:—

'(i) "unauthorised occupation", in relation to any premises or other immovable properties, means the occupation by any person of the premises or other immovable properties without authority for such occupation, and includes the continuance in occupation by any person of the premises or other immovable properties after the authority (whether by way of grant or any other mode of transfer) under which he was allowed to occupy the premises or other immovable properties has expired or has been determined for any reason whatsoever.'.

Amendment of section 4

3. In section 4 of the principal Act, for sub-section (6), the following sub-section shall be substituted:—

"(6) Save as otherwise provided in this Act, any suit or other legal proceeding, except a suit or other legal proceeding against an order of eviction from any premises or other immovable properties under section 9, for the enforcement of any right or remedy in respect of any of the Estate properties may be instituted in any court by or against the State Government, as the case may be, and not otherwise.".

Amendment of section 8.

4. In section 8 of the principal Act,—

(a) in sub-section (1), for the words and brackets "any premises included in the Estate properties (hereinafter referred to as the premises)", the words and brackets "any premises or other immovable properties included in the Estate properties (hereinafter referred to as the premises or other immovable properties)" shall be substituted;

(b) in sub-section (2), in clause (b), for the words "the premises,", the words "the premises or other immovable properties," shall be substituted;

(c) in sub-section (3), for the words "the premises,", the words "the premises or other immovable properties," shall be substituted;

(d) in sub-section (4), for the words "in occupation of the premises,", the words "in unauthorised occupation of the premises or other immovable properties," shall be substituted.

Substitution of new section for section 9

5. For section 9 of the principal Act, the following section shall be substituted:—

"Eviction of unauthorised occupants

9. (1) If, after considering the cause, if any, shown by any person in pursuance of a notice under section 8 and any evidence he may produce in support of the same and after giving him a reasonable opportunity of being heard, the Estate Manager is satisfied that the premises or other immovable properties are in unauthorised occupation,

The Murshidabad Estate (Management of Properties) and Miscellaneous Provisions (Amendment) Act, 1996.

(Section 6.)

the Estate Manager may, on a date to be fixed for the purpose, make an order of eviction, for reasons to be recorded therein, directing that the premises or other immovable properties shall be vacated, and the possession thereof shall be delivered to the Estate Manager or any other officer duly authorised by the Estate Manager in this behalf, by all persons who may be in occupation thereof or any part thereof, within such period as may be specified in the order, and furnish a copy of the order, if applied for, to all such persons, free of cost, and also cause a copy of the order to be affixed on the outer door or some other conspicuous part of the premises or other immovable properties.

(2) If any person refuses or fails to comply with the order of eviction made under sub-section (1) within the period specified in the order or within fifteen days of its publication under sub-section (1), whichever is later, the Estate Manager or any other officer duly authorised by the Estate Manager in this behalf may evict that person from, and take possession of, the premises or other immovable properties and may, for that purpose, use such force as may be necessary.

(3) The cost of taking possession of the premises or other immovable properties under sub-section (2) shall be payable by the person from whom possession of the premises or other immovable properties has been taken within such period as the Estate Manager may by order direct.".

Insertion of new sections 9A and 9B

6. After section 9 of the principal Act, the following sections shall be inserted:—

"Disposal of property

9A. (1) Where any persons have been evicted from any premises or other immovable properties under section 9, the Estate Manager may, after giving fourteen days' notice to the persons from whom possession of the premises or other immovable properties has been taken, remove or cause to be removed or dispose of by public auction any property remaining on such premises.

(2) Where any property is sold under sub-section (1), the sale proceeds shall, after deducting the expenses of the sale and the amount, if any, due to the Estate Manager on account of arrears of rent or damages or costs, be paid to such person or persons as may appear to the Estate Manager to be entitled to the same.

Appeal

9B. (1) An appeal shall lie from every order of the Estate Manager made under section 9 to an appellate officer who shall be the district judge of the district in which the premises or other immovable properties are situate or such other judicial officer in that district of not less than ten years' standing as the district judge may designate in this behalf.

(2) An appeal under sub-section (1) shall be preferred within fifteen days from the date of publication of the order under that sub-section:

Provided that the appellate officer may entertain the appeal after the expiry of the said period of fifteen days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(3) Where an appeal is preferred from an order of the Estate Manager, the appellate officer may stay the enforcement of that order for such period and on such conditions as he deems fit.

(4) Every appeal under this section shall be disposed of by the appellate officer as expeditiously as possible.

(5) The costs of any appeal under this section shall be in the discretion of the appellate officer.

The Murshidabad Estate (Management of Properties) and Miscellaneous Provisions (Amendment) Act, 1996.

(Section 7.)

(6) For the purposes of this section, the City of Calcutta as defined in clause (3) of section 2 of the City Civil Court Act, 1953, shall be deemed to be a district and the Chief Judge or the principal judge of the City Civil Court therein shall be deemed to be the district judge of the district.". West Ben Act XXI of 1953.

Insertion of new section 14A

7. After section 14 of the principal Act, the following section shall be inserted:—

"Bar of jurisdiction of Civil Courts

14A. No Civil Court shall have jurisdiction to deal with or to decide any question which is required to be dealt with or to be decided under the provisions of this Act.".

By order of the Governor,

S. MAITRA,

Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-I)/96/SAR-149**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 21] FRIDAY, JULY 12, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
Taxation

No. 1722-F.T. Calcutta, the 12th July, 1996.

NOTIFICATION

In exercise of the power conferred by sub-section (1) of section 25 of the West Bengal State Tax on Professions, Trades, Callings and Employments Act, 1979 (West Ben. Act VI of 1979), the Governor is pleased hereby to make, the following amendments in the West Bengal State Tax on Professions, Trades, Callings and Employments Rules, 1979, as subsequently amended (hereinafter referred to as the said rules):—

Amendments

In the said rules,—

(1) in rule 4,—

(a) in sub-rule (1), after the words and figures "in Form II", *insert* the words, figures, letter and brackets "along with a receipted copy of the challan referred to in sub-rule (1a) of rule 15";

(b) for sub-rule (3), *substitute* the following sub-rule:—

"(3) On receipt of an application in Form II along with the challan, the prescribed authority shall, within thirty days of the receipt of such application, grant the person making such application a certificate of enrolment in Form IIA and thereafter send the said certificate to the applicant.";

(c) *omit* sub-rule (4);

(2) in rule 12,—

(a) in sub-rule (1), after the words "employer registered under the Act", *insert* the words, figure, letter and brackets ", other than an employer eligible to furnish quarterly return under sub-rule (1a),";

(b) after sub-rule (1), *insert* the following sub-rules:—

"(1a) Where the total amount of tax paid by a registered employer under this Act according to his return or returns in respect of any year ending on or after the 31st day of March, 1996, does not exceed three thousand rupees, such registered employer shall, notwithstanding anything contained in sub-rule (1) or sub-rule (4), be eligible to furnish return annually in respect of the year immediately following the aforesaid year, and such return in such form and in such manner, as provided in

sub-rule (1), together with the receipted challan showing payment of tax payable by him according to such return shall be furnished to the prescribed authority before the last day of the month following the year in respect of which the return is furnished:

Provided that if return for any part of a year has already been furnished and tax according to such return paid by any registered employer under sub-rule (1) or sub-rule (4) before he becomes eligible to furnish return annually in respect of that year, such registered employer shall furnish a single return for the remaining part of the said year and pay tax according to the said return:

Provided further that the provisions of this sub-rule shall apply to an employer who has been registered under the Act for a period of at least one full year and has furnished return in accordance with sub-rule (1) or sub-rule (4).

(1b) A registered employer, who has been eligible to furnish return annually under sub-rule (1a), shall cease to be so eligible if the total amount of tax payable by him under this Act exceeds three thousand rupees during any year, and he shall thereupon inform the prescribed authority accordingly within thirty days from the expiry of such year and furnish returns according to the provisions of sub-rule (1) or sub-rule (4), as the case may be, in respect of the period, immediately following the year in respect of which the total amount of tax exceeds three thousand rupees.";

(c) in sub-rule (2), after the word, figure and brackets "sub-rule (1)", *insert* the words, figures, letter and brackets ", sub-rule (1a) or sub-rule (4), as the case may be,";

(3) in rule 15,—

(a) in sub-rule (1), for the words "A person liable to pay tax", *substitute* the words, figure, letter and brackets "Subject to the provision of sub-rule (1a), a person liable to pay tax";

(b) after sub-rule (1), *insert* the following sub-rule:—

"(1a) Notwithstanding anything contained in sub-rule (1), a person, who is required to make payment of tax under clause (b) of sub-section (4) of section 5, shall make payment of tax in the manner prescribed in sub-rule (2) of rule 12 within the period specified in the said clause and shall attach a copy of the receipted challan with the application for enrolment made under sub-rule (1) of rule 4.";

(4) in Form I,—

(a) for the words, figures and brackets "the Bengal Finance (Sales Tax) Act, 1941/West Bengal Sales Tax Act, 1954/", *substitute* the words and figures "the West Bengal Sales Tax Act, 1994/";

(b) for the words, figures and brackets "The Bengal Finance (Sales Tax) Act, 1941.—", *substitute* the words and figures "The West Bengal Sales Tax Act, 1994—";

(c) *omit* the words, figures and letters "West Bengal Sales Tax Act, 1954—Registration Certificate No.";

(5) in Form IA, for the headings "Class of persons:" and "Rate of tax:" and the entries thereunder, *substitute* the following headings and entries:—

"Class of persons:		Rate of tax
Salary and wage earners. Such persons whose monthly salaries or wages are—		
(i) Rs. 1250 or less	..	NIL
(ii) Rs. 1251 or more, but less than Rs. 1501	..	Rs. 12 per month
(iii) Rs. 1501 or more, but less than Rs. 2001	..	Rs. 18 per month
(iv) Rs. 2001 or more, but less than Rs. 3001	..	Rs. 25 per month
(v) Rs. 3001 or more, but less than Rs. 5001	..	Rs. 30 per month
(vi) Rs. 5001 or more, but less than Rs. 8001	..	Rs. 40 per month
(vii) Rs. 8001 and above	..	Rs. 75 per month.'

(6) for Form II, *substitute* the following form:—

"FORM II

[*See* rule 4(1)/6(2)]

[To be submitted by a person seeking enrolment under section 5(4)(b)]

To
The Profession Tax Officer
.....

..... *son/daughter/wife of ..... hereby
(Name)
apply for a certificate of *enrolment of the certificate of enrolment bearing No. .....
*I enclose a receipted copy of challan dated ..... for Rs .....
on ....., and furnish the following
(Bank) (Branch)
information:

	Name Prefix	Name Proper
1. Trade Name		
2. Address (with Pin Code)		
	Address Line 1	
	Address Line 2	
	Police Station	
	Sub-division	
	District	
	Pin Code	

3. Sl. No. (and sub-number, if any) of the Schedule which is applicable

Sl. No.	Sub-No.

4. Date of commencement of professions/ trades/callings and employments

5. Annual Gross Income from the profession during the immediately preceding year

6. Gross business
Gross turnover
   (a) in the immediately preceding year Rs.
   (b) during the current year up to the date of application Rs.

7. W.B. Sales Tax Registration Certificate No., if any
   (a) State Act
   (b) Central Act

8. No. of Employees

*(a) in the factory [ ]

*(b) in the shop/establishment [ ]

9. No. of transport vehicles [ ]

10. Level of co-operative societies State Level/District Level*

11. Income tax permanent Account No.

I declare that the above statements are true to the best of my knowledge and belief.

I would request to *grant me a certificate of enrolment/amend the certificate accordingly.

Date Signature .....

Place Designation .....

*Strike out whichever is inapplicable.

(For Office Use Only)

Profession tax Enrolment Number Data of Enrolment

[ ][ ][ ][ ][ ][ ][ ][ ][ ] [ ] [ ][ ][ ][ ][ ][ ]

ZONE NUMBER CHK D D M M Y Y

[ ][ ][ ] [ ][ ][ ][ ][ ][ ]

Profession tax Code/Category Tax Payable (in Rupees)

Signature .....

Profession Tax Officer

.....Range/Unit";

(7) for Form III, *substitute* the following form:—

"FORM III

[*See* rule 12]

Return

(Please type or use capital letters/figures while furnishing the following information)

	Period From		Period To
Registration Certificate No. under the Act	. .		
Enrolment Certificate No. under the Act	. .		
Employees whose monthly salaries or wages are	No. of employees	Rate of tax	Amount of tax deducted
(i) Rs. 1250 or less	. .	NIL	
(ii) Rs. 1251 or more, but less than Rs. 1501		Rs. 12 per month	

(iii) Rs. 1501 or more, but less than Rs. 2001	Rs. 18 per month
(iv) Rs. 2001 or more, but less than Rs. 3001	Rs. 25 per month
(v) Rs. 3001 or more, but less than Rs. 5001	Rs. 30 per month
(vi) Rs. 5001 or more, but less than Rs. 8001	Rs. 40 per month
(vii) Rs. 8001 and above	Rs. 75 per month

Tax amount :

Interest amount :

Total amount :

The above statements are true to the best of my knowledge and belief.

Date :..... Signature .....

Place:..... Designation .....";

(8) in Form IIIA, for the heading "Slab of Salary" and the entries thereunder, *substitute* the following heading and entries:—

"Slab of salary

(i) Rs. 1250 or less		NIL
(ii) Rs. 1251 or more, but less than Rs. 1501	. .	Rs. 12 per month
(iii) Rs. 1501 or more, but less than Rs. 2001	. .	Rs. 18 per month
(iv) Rs. 2001 or more, but less than Rs. 3001	. .	Rs. 25 per month
(v) Rs. 3001 or more, but less than Rs. 5001	. .	Rs. 30 per month
(vi) Rs. 5001 or more, but less than Rs. 8001	. .	Rs. 40 per month
(vii) Rs. 8001 and above	. .	Rs. 75 per month.".

2. (a) Clause (5), clause (7) and clause (8) of this notification shall come into force with effect from the 1st day of August, 1996;

(b) the remaining clauses of this notification shall come into force with effect from the 15th day of July, 1996.

By order of the Governor,

A. GUPTA,
Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No. WB(Part-I)/96/SAR-150

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 21] FRIDAY, JULY 12, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 1723-F.T. Calcutta, the 12th July, 1996.

NOTIFICATION

In exercise of the power conferred by section 11 of the Bengal Electricity Duty Act, 1935 (Ben Act X of 1935), the Governor is pleased hereby to make, with effect from the 15th day of July, 1996, the following amendments in the Bengal Electricity Duty Rules, 1935, as subsequently amended (hereinafter referred to as the said rules)—

Amendments

In the said rules,—

(1) in rule 2, after sub-rule (3), *insert* the following sub-rule:—

"(4) Notwithstanding anything contained elsewhere in this rule, the electricity duty payable by a licensee or a person under section 5 or interest payable by a licensee under section 5A may be deposited to the Reserve Bank of India, Calcutta, or to the Government Treasury of Calcutta, or to the Government Treasury of a sub-division where the main office of the licensee or the person, as the case may be, is situated ",

(2) in rule 9B, in sub-rule (2),—

(a) for clause (i), *substitute* the following clause:—

"(i) an Inspecting Officer appointed by that designation by the State Government under sub-section (1) of section 7 of the Act or any other 'designated officer' appointed by the State Government by notification issued in this behalf in respect of the areas comprised in the districts of South 24-Parganas and North 24-Parganas and the area of supply of the Calcutta Electric Supply Corporation Limited;",

(b) for clause (ii), *substitute* the following clauses:—

"(ii) any 'designated officer' appointed by the State Government by notification issued in this behalf in respect of the areas, other than the areas comprised in clause (i), as specified in the said notification.";

(3) for rule 9C, *substitute* the following rule:—

"Authority and procedure for assessment of electricity duty under section 3A

9C. (1) The authority specified in sub-rule (2) of rule 9B (hereinafter referred to as the assessing authority) shall be the prescribed authority for the purpose of assessment under section 3A of the Act.

(2) Where it appears necessary to the assessing authority to make an assessment under section 3A in respect of electricity duty payable by any licensee or any person, he shall serve a notice in Form D-1 upon him—

(a) stating the return period or periods of a year in respect of which the assessment is proposed;

(b) asking him to produce his books of accounts and other documents which the authority wishes to examine together with any objection which the licensee or the person may wish to prefer and any evidence which he may wish to produce in support thereof.

(3) After examining the books of accounts and considering the objection preferred and evidence produced in support thereof, the assessing authority shall assess under section 3A the amount of electricity duty payable by the assessees, and he shall briefly but clearly record the reasons on which his order is based.

(4) If, after adjusting the amount of electricity duty paid by the assessee for the period in question, any such duty is found to be due from a licensee or a person, assessed under section 3A, the assessing authority shall serve a notice in Form D-2 on the assessee specifying the date within which payment shall be made, and he shall further specify the date on which and the authority to whom the evidence in support of such payment shall be produced and he shall also send a copy of the assessment order to the assessee along with the said notice.

(5) For the purpose of procedure for payment of electricity duty found due on assessment, the provisions of rule 2 shall apply *mutatis mutandis.*";

(4) after rule 9E, *insert* the following rule:—

"Garnishee notice for demand of payment from the debtors, banks, etc on account of defaulters

9F. When any person from whom money is due or may become due to a defaulter (as referred to in the *Explanation* to section 8A) is required to deposit money under sub-section (1) of that section on account of such defaulter, the appropriate assessing authority shall serve upon such person a notice in Form H directing him to deposit such money in the manner referred to in that section.";

(5) after rule 10, *insert* the following rules:—

"Appellate authority and memorandum of appeal

10A. (1) Any person aggrieved against an order of assessment or any other order passed under the Act may appeal to the authority specified in sub-rule (2) (hereinafter referred to as the appellate authority).

(2) An appeal against any order—

(a) passed by the Inspecting Officer, referred to in clause (i) of sub-rule (2) of rule 9B, shall lie to the Senior Inspecting Officer appointed by that designation by the State Government;

(b) passed by the designated officer referred to in clause (i) or clause (ii) of sub-rule (2) of rule 9B, shall lie to the 'senior designated officer' appointed by the State Government by notification issued in this behalf in respect of such areas specified therein.

(3) The memorandum of appeal—

(i) shall contain the following particulars, namely:—

(a) the date of order appealed against;

(b) the name and designation of the officer who passed the order;

(c) the grounds of appeal briefly but clearly set out;

(d) the date of receipt of the notice of demand arising out of assessment order or the date of receipt of any other order;

(e) the amount of electricity duty and the amount of interest admitted to be due from the appellant;

(ii) shall be accompanied by a copy of the order appealed against;

(iii) shall be endorsed by the appellant or by an agent authorised by the appellant as follows:—

(a) that the amount of electricity duty or interest as the appellant admits to be due from him has been paid;

(b) that to the best of his knowledge and belief the particulars set.out in the memorandum are correct;

(iv) shall be signed by the appellant or by an agent authorised in writing and shall be accompanied by the fee prescribed in rule 10C:

Provided that in the case of an appeal against any order, other than an order of assessment of electricity duty or an order of determination of interest, the provisions of sub-clause (e) of clause (i), or the provisions of sub-clause (a) of clause (iii), shall not apply.

Procedure for disposal of appeal

10B. (1) If the appellant fails to comply with the requirements either of clause (iii), clause (iv) of rule 10A, the appeal shall be summarily rejected, and if the appellant fails to comply with the requirements of clause (i) or clause (ii) of the said rule, the appeal may be rejected only when the appellant is given such oportunity as the appellate authority thinks fit to amend the memorandum of appeal so as to bring it in comformity with such requirements and when the appellant fails to make such amendments within the time allowed by the appellate authority.

(2) If the appeal is not rejected, the appellate authority shall pass his order in writing after hearing the appellant, and thereafter he shall send one copy of the said order to the appellant and another copy of it to the concerned officer against whose order appeal was preferred.

Fees 10C. (1) The following fees shall be payable—

(i) upon a memorandum of appeal against an order of assessment;	Twenty-five rupees
(ii) upon a memorandum of appeal against any order other than an order of assessment.	Twenty rupees

(2) All fees payable under the Act or these rules shall be paid in court-fee stamp.";

(6) after Form D, *insert* the following forms:—

FORM D-1

Notice of assessment under section 3A of the Bengal Electricity Duty Act, 1935.

[*See* rule 9C(2)]

To

..... [name of the *licensee/person liable to pay electricity duty under section 5(4)]

.....

of ..... (address)

Whereas—

*(a) you, being a licensee, have not submitted a return(s) under section 6 of the Act in respect of the period(s) from.....to.....,

*(b) you, being a person liable to pay electricity duty under sub-section (4) of section 5, have not submitted return(s) under section 6 of the Act in respect of the period(s) from .....to .....

*(c) the return(s) under section 6 of the Act for the period(s) from .....to.....submitted by you *appears/appear to be incorrect or incomplete,

And whereas it appears to me that it is necessary to make an assessment under section 3A of the Act in respect of the abovementioned period(s).....,

You are hereby directed to attend at .....(place) on .....(date) at .....(time) and to produce there the books of accounts (list of which is given below) together with any objection which you may wish to prefer and any evidence you may wish to adduce in support thereof.

In the event of your failure to comply with this notice, I shall assess the amount of electricity duty under section 3A of the Act to the best of my judgment without further reference to you.

Date.....

.....
(Assessing authority)

List of books of accounts and document required to be produced:

.....

.....

*Strike out whichever is not applicable

FORM D-2

Notice of demand of electricity duty assessed under section 3A of the Bengal Electricity Duty Act, 1935.

[*See* rule 9C(4)]

To

..... [name of the *licensee/person liable to pay electricity duty under section 5(4)]

.....

of ..... (address)

*In continuation of the notice in FORM D-1 served on you on ..... */with reference to your appeal petition, dated.....before the appellate authority, you are hereby informed that for the period(s) from ..... electricity duty payable by you has been assessed as per details below

You are hereby directed to pay the sum of Rs ..... as per details below into ..... Treasury on or before ..... (date) and to produce the receipt in proof of payment before..... (name of the authority) not later than ..... (date) failing which the unpaid amount shall be recoverable from you as a public demand

Date.....

.....
(Assessing authority)

Address .....

---

*Strike out whichever is not applicable ".

(7) after Form G, *insert* the following form:

'FORM H

Notice of demand under section 8A of the Bengal Electricity Duty Act, 1935.

[*See* rule 9F]

To

.....(Addressee)

..... .(Address)

WHEREAS.....(name fo the defaulter), a defaulter under the Bengal Electricity Duty Act, 1935, failed to pay arrears under the said Act amounting to Rs. .....(Rupees .....);
(in figures) (in words)

AND WHEREAS it is now considered necessary to resort to the mode of recovery prescribed by and under section 8A of the said Act,

You are hereby required under section 8A of the said Act to deposit the said amount of Rs. ..... (Rupees ....) or such some as is due or may become due by you to the said defaulter or such sum as you hold or may subsequently hold for or on account of the said defaulter, either in your name or jointly with any other person or persons, whichever sum is less, within thirty days from the date of receipt of this notice or forthwith on the money being due to the defaulter, if such money becomes due to the said defaulter after thirty days from the date of receipt of this notice, in the Government Treasury/Reserve Bank of India at.....under the head of account..... .and to produce within a week from the date of such deposit a receipted copy of the challan before the undersigned in proof of payment thereof

Please note that any claim respecting the money in relation to this notice arising after the date of this notice shall be void as against the demand contained in this notice

Please note further that objection, if any, on the ground that the sum demanded or any part thereof is not due by you to the defaulter above-named or on the ground that you do not hold any money for or on account of the said defaulter or on the ground that money demanded or any part thereof is not likely to be due to the said defaulter or be held for or on account of the said owner, may be filed before the undersigned within fifteen days from the date of service of this notice and such objection should be accompained by a statement on oath to the above effect and you may further be required to prove to the satisfaction of the undersigned the correctness of your objection on a date to be intimated to you.

Please note also that on production of the receipted challan in compliance with this notice you shall be fully discharged from your liability to the said defaulter to the extent of the amount so paid.

In the event of your discharging any liability to the said defaulter or to any of his representatives or assigns after receipt of this notice, you shall be personally liabile to the extent of your own liability to the said defaulter so discharged or to the extent of the said defaulter's liability for any sum due under the said Act, whichever is less.

If you fail to make payment in pursuance of this notice, you shall also be deemed to be an owner in default under the said Act in respect of the amount specified in this notice and further proceedings may be taken against you for the realisation of the amount as if it were an arrear due from you under the said Act and this notice shall have the same effect as an attachment of a debt.

(Seal)

Address .....

..... Signature .....

Dated..... Designation .....

Note "Defaulter" means a licensee or a person who fails to make full payment of the electricity duty found due from him on assessment under section 3A, or the amount of interests due from a licensee on determination under section 5A, of the Bengal Electricity Duty Act, 1935 '

By Order of the Governor,

A. GUPTA,
Secy. to the Govt. of West Bengal.

GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
TAXATION

No. 1724-F.T. Calcutta, the 12th July, 1996.

NOTIFICATION

WHEREAS the Governor is of opinion that it is necessary so to do in the public interest,

NOW, THEREFORE, in exercise of the power conferred by clause (i) of sub-rule (2) of rule 9B of the Bengal Electricity Duty Rules, 1935, as subsequently amended, the Governor is pleased hereby to appoint the following officers as designated officers as specified in column (2) of the Table below to act as assessing officers in respect of the areas mentioned in column (3) of that Table for the purposes of the said rule:—

TABLE

Sl. No.	Designated Officers	Area
(1)	(2)	(3)
1.	West Bengal Agricultural Income-tax Officers as specified in clause (c) of sub-section (1) of section 21 of the Bengal Agricultural Income-tax Act, 1944 (Ben Act IV of 1944), and posted as such in respect of the areas mentioned in column (3) of this Table.	Areas comprised in the districts of South 24-Parganas and North 24-Parganas and areas of supply of electricity by the Calcutta Electric Supply Corporation Limited.

2. This notification shall come into force on the 15th day of July, 1996

By Order of the Governor,

A. GUPTA,
Secy. to the Govt of West Bengal.

GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
TAXATION

No. 1725-F.T. Calcutta, the 12th July, 1996.

NOTIFICATION

WHEREAS the Governor is of opinion that it is necessary so to do in the public interest;

NOW, THEREFORE, in exercise of the power conferred by clause (ii) of sub-rule (2) of rule 9B of the Bengal Electricity Duty Rules, 1935, as subsequently amended, the Governor is pleased hereby to appoint the following officers as designated officers as specified in column (2) of the Table below to act as assessing officers in respect of the areas mentioned in column (3) of that Table for the purposes of the said rule:—

TABLE

Sl No.	Designated officers	Area
(1)	(2)	(3)
1.	Deputy Magistrates posted in a district and authorised by the Collector of the district.	Area comprised in the district, except the districts of South 24-Parganas and North 24-Parganas and areas of supply of electricity by the Calcutta Electric Supply Corporation Limited.
2.	West Bengal Agricultural Income-tax Officers as specified in clause (c) of sub-section (1) of section 21 of the Bengal Agricultural Income-tax Act, 1944 (Ben Act IV of 1944), and posted as such in the district.	All districts, except the districts of South 24-Parganas and North 24-Parganas and areas of supply of electricity by the Calcutta Electric Supply Corporation Limited

2. This notification shall come into force on the 15th day of July, 1996.

By Order of the Governor,

A. GUPTA,
Secy to the Govt of West Bengal

GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
TAXATION

No. 1726-F T. Calcutta, the 12th July, 1996

NOTIFICATION

WHEREAS the Governor is of opinion that it is necessary so to do in the public interest;

NOW, THEREFORE, in exercise of the power conferred by clause (b) of sub-rule (2) of rule 10A of the Bengal Electricity Duty Rules, 1935, as subsequently amended, the Governor is pleased hereby to appoint the following officers as senior designated officers as mentioned in column (2) of the Table below to act as appellate authority in respect of the areas mentioned in column (3) of that Table for the purposes of the said rule:—

TABLE

Sl. No.	Senior designated officer	Area
(1)	(2)	(3)
1.	Additional District Magistrate as may be authorised by the Collector of the district.	Area comprised in the district, except the districts of South 24-Parganas and North 24-Parganas and areas of supply of electricity by the Calcutta Electric Supply Corporation Limited.
2.	Assistant Commissioners of Agricultural Income-tax as specified in clause (b) of sub-section (1) of section 21 of the Bengal Agricultural Income-tax Act, 1944 (Ben. Act IV of 1944), and posted as such in respect of the areas mentioned in column (3) of this Table	Areas comprised in the districts of South 24-Parganas and North 24-Parganas and areas of supply of electricity by the Calcutta Electric Supply Corporation Limited

By Order of the Governor,

2. This notification shall come into force on the 15th day of July, 1996

A. GUPTA,
Secy. to the Govt. of West Bengal

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-I)/96/SAR-148**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 21] FRIDAY, JULY 12, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 1719-F.T. Calcutta, the 12th July, 1996.

NOTIFICATION

In exercise of the power conferred by section 104 of the West Bengal Sales Tax Act, 1994 (West Ben. Act XLIX of 1994), the Governor is pleased hereby to make the following amendments in the West Bengal Sales Tax Rules, 1995, as subsequently amended (hereinafter referred to as the said rules):—

Amendments

In the said rules,—

(1) in rule 2, for clause (n), *substitute* the following clause:—

'(n) "Patrolman" means the person appointed by that designation to assist the Commissioner and such person shall exercise such power and perform such duty as may be specified in these rules or in the order made in this behalf in writing by the Commissioner;';

(2) in rule 28, after the proviso, *add* the following proviso:—

"Provided further that the provisional certificate shall stand revoked with effect from the date of validity of his certificate of registration issued under section 26 or section 27, as the case may be.";

(3) in rule 30, for the words "ten thousand rupees" in the two places, where they occur, *substitute* the words "twenty five thousand rupees";

(4) after rule 47, *insert* the following rule:—

"Exemption from tax on certain sales of cards and calendars

47A. (1) (a) Where any dealer makes sales of cards and calendars issued by the United Nations Children's Fund, he may, for the purpose of determining his taxable turnover of sales, deduct such sales under sub-clause (xi) of clause (a) of sub-section (3) of section 17 from his gross turnover of sales.

(b) The provisions of this sub-rule shall be deemed to have come into force on the 1st day of May, 1995.

(2) (a) Where the Child Relief And You (CRY) makes sales of cards and calendars prepared by it, it may, for the purpose of determining its taxable turnover of sales, deduct such sales under sub-clause (xi) of clause (a) of sub-section (3) of section 17 from its gross turnover of sales.

(b) The provisions of this sub-rule shall come into force on the 15th day of July, 1996.";

(5) in rule 59,—

(a) in the marginal note, *omit* the words "and contraceptive pills";

(b) *omit* the words "or makes sales of contraceptive pills";

(6) in rule 73, to sub-rule (1), *add* the following proviso:—

"Provided that notwithstanding anything contained in this sub-rule, where a dealer makes sale in auction, held in Calcutta under the auspices of the Calcutta Tea Traders' Association or at Siliguri under the auspices of Siliguri Tea Auction Committee, of tea (including containers or other materials for its packing sold along with the tea) to a registered dealer for resale by him in West Bengal and intends to claim payment of tax at concessional rate on such sale under sub-clause (i) of clause (a) of sub-section (2) of section 17, he shall not be required to furnish any declaration in Form 11, but he shall furnish, on demand, before the said authority relevant evidence including the copy of the cash memo or bill of such sale.";

(7) in rule 74, to sub-rule (1), *add* the following proviso:—

"Provided that notwithstanding anything contained in this sub-rule, where a dealer makes sale in auction, held in Calcutta under the auspices of the Calcutta Tea Traders' Association or at Siliguri under the auspices of Siliguri Tea Auction Committee, of tea (including containers or other materials for its packing sold along with tea) to a registered dealer for use by him directly in the manufacture in West Bengal for sale by him in West Bengal and intends to claim payment of tax at concessional rate on such sale under sub-clause (i) of clause (b) of sub-section (2) of section 17, he shall not be required to furnish any declaration in Form 12, but he shall furnish, on demand, before the said authority relevant evidence including the copy of the cash memo or bill of such sale.";

(8) in rule 77,—

(a) for the words, figures and brackets "specified by the State Government by notification under clause (i) of sub-section (2) of section 17", *substitute* the words, figures and letter "specified in Schedule VIIIA";

(b) for the words, figure and brackets "in the third proviso to sub-section (2) of that section,", *substitute* the words, figures, letter and brackets "in sub-section (2A) of section 17,";

(9) in rule 86, in clause (a), for the words, figure and brackets ", or the third proviso to sub-section (2) of", *substitute* the words, figures, letter and brackets ", of sub-section (2), or under sub-section (2A), of";

(10) in rule 88, for sub-rule (3), *substitute* the following sub-rule:—

"(3) The applicant shall furnish statement in Form 15A, duly filled in and signed by him, in respect of issue of declaration forms received on the previous occasion, showing details of stock of such forms, if any, and produce the counterfoils of such forms before the authority referred to in sub-rule (1);

Provided that where the use or requirement of declaration forms appears not to be in order, the appropriate assessing authority may call for the relevant documents.";

(11) *renumber* the *Explanation* to rule 98 as *Explanation I*, and after *Explanation I* so renumbered, *add* the following *Explanation:*—

'*Explanation II.*—In clause (i) of *Explanation I*, "plant and machinery" of a newly set up industrial unit shall include the pollution control equipments required for adopting pollution abatement measures in the said unit.';

(12) in rule 99,—

(a) for the words "three years", *substitute* the words "five years";

(b) for the words "five years", *substitute* the words "seven years";

(c) *add* the following proviso at the end:—

"Provided that where pollution abatement measures are adopted in any small scale industrial unit of a dealer, he shall be eligible for further benefit under rule 55 for an extended period of one year or less, subject to the condition that the turnover of sale of a dealer will be eligible for deduction under the said rule during the extended period upto the date till the corresponding amount of tax on such turnover does not exceed fifty *per centum* of the actual capital investment of the dealer for the purpose of adopting such pollution abatement measure.";

(13) after the proviso to rule 102, *add* the following proviso:—

"Provided further that where pollution abatement measures are adopted in any newly set up industrial unit of a dealer, he shall, in addition to the period referred to in the Table and the extended period referred to in the first proviso, be eligible for the benefit of defermant of payment of tax under section 40 for a period of one year or less, subject to the condition that the amount of tax a dealer will be eligible for deferment of payment during the additional period under this proviso shall not exceed fifty *per centum* of the actual capital investment of the dealer for the purpose of adopting such pollution abatement measures.";

(14) to rue 115, *add* the following proviso:—

"Provided that where pollution abatement measures are adopted in the expanded portion of an existing industrial unit of a dealer, he shall, in addition to the period referred to in the Table, be eligible for further benefit of deferment of payment of tax under section 40 for a period of one year or less, subject to the condition that the amount of tax a dealer will be eligible for deferment of payment during this addtional period under this proviso shall not exceed fifty *per centum* of the actural capital investment of the dealer for the purpose of adopting such pollution abatement measures.";

(15) after the proviso to rule 128, *add* the following proviso:—

"Provided further that where pollution abatement measures are adopted in any newly set up industrial unit of a dealer, he shall, in addition to the period referred to in the Table and the extended period referred to in the first proviso, be eligible for the benefit of remission of tax under section 41 for a period of one year or less, subject to the condition that the amount of tax a dealer will be eligible for remission during the additional period under this proviso shall not exceed fifty *per centum* of the actual capital investment of the dealer for the purpose of adopting such pollution abatement measures.";

(16) to rule 137, *add* the following proviso:—

"Provided that where pollution abatement measures are adopted in the expanded portion of an existing industrial unit of a dealer, he shall, in addition to the period referred to in the Table, be eligible for the benefit of remission of tax under section 41 for the period of one year or less, subject to the condition that the amount of tax a dealer will be eligible for remission during the additional period under this proviso shall not exceed fifty *per centum* of the actual capital investment of the dealer for the purpose of adopting such pollution abatement measures.";

(17) in rule 153,—

(a) in the first proviso to sub-rule (1), for the words "twelve thousand", *substitute* the words "twenty thousand";

(b) in sub-rule (3), for the words "twelve thousand", *substitute* the words "twenty thousand";

(c) in sub-rule (5), for the words "twelve thousand" in the two places, where they occur, *substitute* the words "twenty thousand";

(18) for rule 154, *substitute* the following rule:—

"Contingencies in which return period is to be changed to monthly basis.

154. Where the appropriate assessing authority is satisfied—

(a) that a registered dealer, who is required to furnish return quarterly in accordance with the provisions of rule 152, has failed to make monthly payment of tax in terms of rule 163 for more than three months in a year, or

(b) that a registered dealer, who is required to furnish return annually in accordance with the provisions of rule 153, has failed to make payment of tax according to sub-rule (1), or sub-rule (2), of rule 164,

such assessing authority may, after giving such dealer a reasonable opportunity of being heard, fix monthly return period in lieu of quarterly or annual return period for such dealer, for reasons to be recorded in writing, with effect from the first month of the quarter or year, as the case may be, immediately following the quarter or month during which such order is passed, and thereupon such dealer shall furnish return monthly within twenty-one days from the expiry of the month in respect of which the return is required to be furnished:

Provided that where a registered dealer is permitted by the Commissioner to furnish return annually, the return period of such dealer under sub-rule (9) of rule 153 may be changed to monthly basis under this rule subject to his approval:

Provided further that where a dealer, whose return period is fixed monthly under this rule, establishes to the satisfaction of the appropriate assessing authority that he has complied with the provisions of this rule and rule 165 during the last two years, the said authority shall, on an application made in this behalf by the dealer, fix quarterly return period under rule 152 or annual return period under rule 153, as the case may be, and thereafter the dealer shall furnish—

(i) quarterly return from the quarter comprising the month in which the return period is fixed under this proviso, and if monthly return for any part of the quarter has already been furished, the dealer shall furnish a single return for the remaining part of the quarter, or

(ii) annual return from the year in which the return period is fixed under this proviso and if monthly return for any part of such year has already been furnished, the dealer shall furnish a single return for the remaining part of the year.";

(19) in rule 161,—

(a) to sub-rule (1), *add* the following proviso:—

"Provided that a dealer who is not liable to pay tax under section 12 or section 15 and whose aggregate turnover of sales in relation to a year does not exceed six lakh rupees, such dealer may furnish return in Form 25A according to the return-period applicable to him,—

(a) in respect of a month, or quarter, as the case may be, of the following year ending or or after the date of coming into force of this proviso, or

(b) in respect of the following year, prescribed date for furnishing of which falls on or after the date of coming into force of this proviso:

Provided further that a registered dealer, who has been eligible to furnish return in Form 25A, shall cease to be so eligible if the aggregate turnover of sales exceeds six lakh rupees on any date during any year, and he shall thereupon furnish returns monthly, quarterly or annual as the case may be, in Form 25 in respect of the month or quarter or year, prescribed date for furnishing of which falls after the aforesaid date.";

(20) in rule 164,—

(a) in sub-rule (1), for the words, figures and brackets "sub-rule (1) of rule 153, shall pay the amount of tax payable according to his return before furnishing such return under sub-rule (1) of rule 153.", *substitute* the words, figures, letters and brackets "sub-rule (1), or sub-rule (3), of rule 153, shall pay before furnishing his return the amount of tax payable according to such return in respect of the year commencing before the 1st day of April, 1996.";

(b) for sub-rule (2), *substitute* the following sub-rule:—

"(2) Every dealer, who is eligible for furnishing returns annually under sub-rule (1), or sub-rule (3), of rule 153 in respect of a year, commencing on or after the 1st day of April, 1996, shall—

(a) pay the amount of tax payable by him according to his accounts for each of the quarter of such year within thirty days from the expiry of each such quarter or within 14th day of August, 1996, whichever is later, and

(b) pay the balance amount of tax wich remains after deducting the aggregate amount of tax paid under clause (a) from the total amount of tax payable according to return under the said sub-rule.";

(21) in Chapter XII, *omit* Part VI;

(22) in rule 203, in sub-rule (1), after the words "accounts, registers,", *insert* the words "documents of the dealer including computerised or electronic accounts maintained on any computer or electronic media,";

(23) in rule 214,—

(a) in sub-rule (2), for the words, figure and brackets beginning with "If such authority" and ending with "payment of tax on such sales, he shall,", *substitute* the words, figure and brackets "If such authority is of the opinion that it is necessary to safeguard the payment of tax on sales in West Bengal of the goods mentioned in the application referred to in sub-rule (1) or part thereof, he shall";

(b) to sub-rule (2), *add* the following proviso:—

"Provided that the said authority may dispense with the requirement of furnishing security, if the application in sub-rule (1) relates to import of goods by any Government department, local body, recognised university or any affiliated educational institution or Government recognised research organization or any registered charitable or cultural organization and if the applicant declares that such goods are not intended to be disposed of by way of sale in West Bengal and furnishes a letter of undertaking to the effect that in the event of any sale of such goods, tax payable on such sale shall be deposited and evidence of payment of such tax shall be produced before the authority within fifteen days from the date of such sale.";

(24) in rule 267, in sub-rule (4),—

(a) in clause (b),—

(i) after the words "in such post office certificates", *insert* the words ", Government Promissory notes, or Loan bonds,";

(ii) for the words "said sub-rule.", *substitute* the words "said sub-rule, or";

(b) after clause (b), *insert* the following clause:—

"(c) in the form of a Guarantee from a Scheduled bank agreeing to pay to the State Government, on demand, the amount of security fixed by the Commissioner or the authority referred to in sub-rule (1).";

(25) in FORM 13, for the words, figures and brackets "provisions of the third proviso to section 17(2)/" in the two places where they occur, *substitute* the words, figures, letter and brackets "provisions of section 17(2A)/";

(26) after Form 15, *insert* the following form:—

"THE WEST BENGAL SALES TAX RULES, 1995

FORM NO. 15A

Statement of issue of declaration forms received on the previous occasion

[*See* rule 88(3)]

R.C. No. of Issuing Dealer .....

His name and address .....

.....

Covering Purchase of .....(Year)

Mention Form No. used—11/12/13/14*

(Maintain separate pages for Form 11, Form 12, Form 13 and Form 14)

Serial No. of declaration forms issued	Date of Issue			Dealer to whom form was issued		Purchaser's order, seller's bill & Challan No. & dt. in reference to which issued	Value (Rs.)	Serial Nos. of Forms lying in stock on the date of application
	Dt.	Month	Yr.	R.C. No.	Name			
(1)	(2)			(3)		(4)	(5)	(6)
						Total		

CERTIFIED TO BE TRUE AND CRRECT

.....	.....	.....
Signature	*Date*	*Status*

*Strike out whichever is not applicable.";

(27) in FORM 25,—

(a) in SECTION F, for item 2, *substitute* the following item:—

"2. Less tax payable on which no surcharge is payable according to the provisos to section 16 Rs. .....";

(b) after SECTION F ending with item 5 and the entries relating thereto, *insert* the following SECTION with items and entries:—

"SECTION FA

[Additional sales tax payable under section 18A]

1. Tax payable under section 17 on sales of goods specified in Part B of Schedule IV, other than furnace oil and kerosene oil	Rs. .....
2. Tax payable @ ..... per cent on the amount shown against 1	Rs. .....';

(c) in SECTION G, after item 6 and the entries relating thereto, *insert* the following item and entries:—

"6A. Additional sales tax payable under section 18A	Rs. .....';

(28) in the ABSTRACT OF RETURN,—

(a) after item 15 and the entries relating thereto, *insert* the following item and entries:—

"15A. Additional sales tax payable (Item 6A of SECTION G)	Rs. .....';

(b) in item 16, after the words "Total Tax", *insert* the words "including Additional Sales Tax";

(29) after the form for ABSTRACT OF RETURN, *insert* the following form:—

"THE WEST BENGAL SALES TAX RULES, 1995

FORM 25A

[*See* proviso to sub-rule (1) of rule 161]

Return of tax payable under the West Bengal Sales Tax Act, 1994, by a dealer having annual turnover of sales of rupees six lakhs or less as per his books of accounts maintained on the basis of 'mercantile system/ cash system for the *year/*quarter/*month ending the.....day of .....

Name of the dealer.....carrying on business under the trade name of .....

Address of the dealer .....

Dealer's certificate of registration No. under the Act .....

Permanent Account No. of the dealer under the Income-tax Act, (if any).....

Enrolment Certificate No. of the dealer under State Tax on Profession, etc. .....

1. Gross turnover of sales Rs.....
2. Less sales under section 17(3):
   (a) Sales under the Central Sales Tax Act, 1956 Rs. .....
   (b) Exports Rs. .....
   (c) Sales of exempted goods Rs. .....
   (d) Other sales Rs. .....
3. Balance Turnover of sales Rs. .....
4. Computation of tax payable on sales :

Break up of balance of sales shown in item 3 (Amount)	Rate of tax (percent)	Deduction under section 17(3) (b)	Taxable turnover of sales on which tax is payable (col. 1 – col. 3)	Tax payable under section 17 (col. 4 × col. 2)
Rs.		Rs.	Rs.	Rs.
(1)	(2)	(3)	(4)	(5)
Total :				

5. Tax on purchases payable Rs. .....
6. Tax on which surcharge is payable Rs. .....
7. Surcharge payable on the amount shown in 6 Rs. .....
8. Amount of tax set-off Rs. .....
9. Total tax and surcharge payable Rs. .....
10. Any other amount payable (interest, etc.) Rs. .....
11. Total amount paid Rs. .....

Rs.	Challan No. & date	Bank & Branch
.....	.....	.....
.....	.....	.....
.....	.....	.....

I/We declare that the above statements are true to the best of my/our knowledge and belief.

PLACE SIGNATURE.....

DIST. DATE STATUS .....";

* Strike out whichever is not applicable.

(30) in FORM 30,—

(a) in paragraph 1,—

(i) in item (v), *omit* the words "is/are payable by you";

(ii) in item (vi), for the words, figures and brackets beginning with "further," and ending with "as surcharge.", *substitute* the following words, figures, letters and brackets:—
"the amount of tax payable by you for the said period under section 17 and section 21 on which surcharge is payable by you has been determined at Rs. .....(in figures) (Rupees .....(in words) and accordingly surcharge under 16 amounting to Rs. .....(in figures) (Rupees .....) (in words),";

(iii) after item (vi) and the entry relating thereto ending with the words and brackets "(in words),", *insert* the following item and entry:—

"(vii) the amount of tax payable by you for the said period under section 17 in respect of sales of goods specified in Part B of Schedule IV, other than furnace oil and kerosene oil, is determined at Rs.....(in figures) (Rupees .....) (in words) and accordingly additional sales tax under section 18A amounting to Rs..... (in figures) (Rupees .....) (in words) *is/are payable by you.";

(b) in the last paragraph beginning with the words "you are hereby informed" and ending with the words and figures "is remitted under section 41." in item 1, after sub-item (ii) and the enty relating thereto, *insert* the following item and entry:—

"(iia) Additional sales tax payable under section 18A";

(31) in FORM 33, in the first paragraph,—

(a) in item (vi), *omit* the words "*is/are payable by you.";

(b) after item (vi), *insert* the following item:—

"(vii) the amount of tax payable by you for the said period under section 17 in respect of sales of goods specified in Part B of Schedule IV, other than furnace oil and kerosene oil as determined at Rs.....(in figures) (Rupees .....) (in words) and accordingly additional sales tax under section 18A amounting to Rs. ..... (in figures) (Rupees .....) (in words) *is/are payable by you.";

(32) in FORM 53, in the second paragraph,—

(a) in item (1), in sub-item (a), after the words and figures "surcharge under section 16 is payable", *insert* the words, letters and figures ", for the tax payable of Rs. .....on which additional sales tax under section 18A is payable";

(b) in item (6), after the words, figures and letters "surcharge is payable under section 16 amounted to Rs.....,", *insert* the words, figures and letters ", tax payable .....on which additional sales tax is payable under section 18A amounted to Rs. .....,".

2. (a) Clause (1) and clause (2) of this notification shall come into force and shall be deemed to have come into force with effect from the 1st day of May, 1995;

(b) clause (11), sub-clause (c) of clause (12), clause (13), clause (14), clause (15) and clause (16) of this notification shall come into force and shall be deemed to have come into force with effect from 1st day of August, 1995;

(c) clause (27), clause (28), clause (30), clause (31) and clause (32) of this notification shall come into force and shall be deemed to have come into force with effect from the 1st day of November, 1995;

(d) the remaining clauses of this notification shall come into force with effect from the 15th day of July, 1996.

By order of the Governor,

A. GUPTA,
Secy. to the Govt. of West Bengal.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 1720-F.T. Calcutta, the 12th July, 1996.

NOTIFICATION

WHEREAS the Governor, with a view to ensuring that there is no evasion of tax on the sale of certain goods, is of the opinion that it is necessary to specify such goods;

NOW, THEREFORE, in exercise of the power conferred by sub-section (2) of section 10 of the West Bengal Sales Tax, Act, 1994 (West Ben. Act XLIX of 1994), the Governor is pleased hereby to make the following amendment in this department notification No. 1066-F.T., dated the 13th April, 1995, as subsequently amended (hereinafter referred to as the said notification):—

Amendment

In the said notification, under the heading "The goods referred to above", after item 27 and the entry relating thereto, *add* the following items and entries:—

"28. Furniture, almirahs, and safes, made wholly or principally of aluminium, stainless steel, iron or steel.

29. Paints of all kinds including acrylic and plastic emulsion paints, lacquers, distempers, cement colours or paints, enamels, liquid paints, stiff paste paints and powder paints, whether ready for use or not.

30. Varnishes, vegetable paint removers and stainers of all kinds.

31. Components and accessories of—
electrical fans, exhaust fans and air circulators, that is to say, motor, blade, canopy, guard, and regulator.

32. Bamboo.

33. Cane.

34. Dry fish.

35. Ceramic and glazed tiles.

36. Stone chips.

37. Copra.

38. Groundnut, whether husked or dehusked.

39. (a) Furniture,
(b) Pipe, sheet,
(c) Door, window,
(d) Water tank,
(e) Tumbler, bucket, tub,
made of plastic, polyvinyl chloride (P.V.C.) or other synthetic substances.".

2. This notification shall come into force with effect from the 15th day of July, 1996.

By order of the Governor,

A. GUPTA,
Secy. to the Govt. of West Bengal.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 1721-F.T. Calcutta, the 12th July, 1996.

NOTIFICATION

WHEREAS the Governor is of opinion that it is necessary so to do in the public interest;

NOW, THEREFORE, in exercise of the power conferred by sub-rule (2) of rule 210 of the West Bengal Sales Tax Rules, 1995, the Governor is pleased hereby to make the following amendment in this department notification No. 1110-F.T., dated the 20th April, 1995, as subsequently amended (hereinafter referred to as the said notification):—

Amendment

In the said notification, in the TABLE, in LIST-II, after serial No. 27 in column (1) and the entries relating thereto in column (2) and column (3), *add* the following serial Nos. in column (1) and entries relating thereto in column (2) and column (3) respectively:—

"28.	Furniture, almirahs, and safes, made wholly or principally of aluminium, stainless steel, iron or steel.	Chair—4 pieces, other furniture—1 piece for each item, almirah and safe—Nil.
29.	Paints of all kinds including acrylic and plastic emulsion paints, lacquers, distempers, cement colours or paints, enamels, liquid paints, stiff paste paints and powder paints, whether ready for use or not.	Nil.
30.	Varnishes, vegetable paint removers and stainers of all kinds.	Nil.
31.	Components and accessories of— electrical fans, exhaust fans and air circulators, that is to say, motor, blade, canopy, guard, and regulator.	1 unit or five hudred rupees by value when number of units is more than one.
32.	Bamboo.	10 pieces.
33.	Cane.	10 pieces.
34.	Dry fish	1 kilogram.
35.	Ceramic and glazed tiles.	12 pieces.
36.	Stone chips.	50 kilograms.
37.	Copra.	1 kilogram.
38.	Groundnut, whether husked or dehusked.	1 kilogram.

39. (a) Furniture, (b) Pipe, sheet, (c) Door, window, (d) Water tank, (e) Tumbler, bucket, tub,	Chair—4 pieces, other furniture—one unit for each item, water tank—Nil, other goods—one unit for each item or five hundred rupees by value when number of units is more than one.".

made of plastic, polyvinyl chloride (P.V.C.) or other synthetic substances.

2. This notification shall come into force with effect from the 15th day of July, 1996.

By order of the Governor,

A. GUPTA,
Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

The Calcutta Gazette

No. WB(Part-III)/96/SAR-15

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 21] FRIDAY, JULY 12, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1263-L.—12th July, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XII of 1996

THE LILY BISCUIT COMPANY (PRIVATE) LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 12th July, 1996.]

An Act to provide for the acquisition and transfer, in the public interest, of the undertakings of the Lily Biscuit Company (Private) Limited, and for matters connected therewith or incidental thereto.

WHEREAS the Lily Biscuit Company (Private) Limited had been engaged in the manufacture of biscuits and confectionery;

AND WHEREAS the management of the undertakings of the Lily Biscuit Company (Private) Limited had been conducted in a manner highly detrimental to the public interest;

AND WHEREAS the management of the undertakings of the Lily Biscuit Company (Private) Limited was taken over by the Central Government under section 18A of the Industries (Development and Regulation) Act, 1951, on and from the 27th day of March, 1979; 65 of 1951.

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 1-4.)

AND WHEREAS the period of the taking over of the management of the Company expired on the 26th day of March, 1996;

AND WHEREAS for the purpose of reconstructing and rehabilitating the undertakings of the Lily Biscuit Company (Private) Limited so as to subserve the interest of the general public by augmentation of production and distribution of the aforesaid articles which are essential to the needs of the general public, it is necessary to acquire the undertakings of the Company;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(2) It shall be deemed to have come into force on the 27th day of March, 1996.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "appointed day" means the date on which this Act comes into force;

(b) "Commissioner" means the Commissioner of Payments appointed under section 9;

(c) "Company" means the Lily Biscuit Company (Private) Limited, being a company as defined in the Companies Act, 1956, and having its registered office at 3, Rama Kanta Sen Lane, Calcutta-700 067; 1 of 1956.

(d) "date of taking over of management of the undertakings of the Company" means the 27th day of March, 1979;

(e) "existing Government company" means a Government company which is carrying on business on the appointed day;

(f) "new Government company" means a Government company formed and registered on or after the appointed day;

(g) "notification" means a notification published in the *Official Gazette;*

(h) "prescribed" means prescribed by rules made under this Act;

(i) words and expressions used herein and not defined, but defined in the Companies Act, 1956, have the meanings respectively assigned to them in that Act.

Transfer to, and vesting in, State Government of the undertakings of the Company.

3. On the appointed day, the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings, shall, by virtue of this Act, stand transferred to, and vest in, the State Government.

General effect of vesting.

4. (1) The undertakings of the Company shall be deemed to include all assets, rights, lease-holds, powers, authorities and privileges, and all property, movable and immovable, including lands, buildings, offices, factories, workshops, stores, instruments, plants, machinery and equipment, installations, laboratories, office furniture, stationery and equipment, vehicles, patents, trade marks, cash balances, cash in hand, reserve funds, investments, book debts and all other rights and interests in, or arising out of, such property as were immediately before the appointed day in the ownership, possession, power or control of the Company, whether within or outside India, and all books of accounts, registers and all other documents of whatever nature relating thereto.

(2) All properties and assets as aforesaid which have vested in the State Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charges, liens and all other encumbrances affecting them, and any attachment, injunction, decree or order of any court or other authority restricting the use of such properties or assets in any manner or appointing any receiver in respect of the whole or any part of such properties or assets shall be deemed to have been withdrawn.

(3) Every mortgagee of any property which has vested under this Act in the State Government and every person holding any charge, lien or other interest in, or in relation to, any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Section 5.)

(4) For the removal of doubts, it is hereby declared that the mortgagee of any property referred to in sub-section (3) or any other person holding any charge, lien or other interest in, or in relation to, any such property shall be entitled to claim, in accordance with his rights and interests, payment of the mortgage money or other dues, in whole or in part, out of the amount of compensation determined under sub-section (1), and also out of the amount determined under sub-section (2), of section 7, but, no such mortgage, charge, lien or other interests shall be enforceable against any property which has vested in the State Government.

(5) Any licence or other instrument granted to the Company in relation to any undertaking which has vested in the State Government under section 3 at any time before the appointed day and in force immediately before the appointed day shall continue to be in force on and after such day in accordance with its tenor in relation to and for the purpose of such undertaking, and, on and from the date of vesting of such undertaking, under section 6, in an existing Government company, or under section 7, in a new Government company, the existing or the new Government company, as the case may be, shall be deemed to be substituted in such licence or other instrument as if such licence or other instrument had been granted to such existing or new Government company and such existing or new Government company shall hold it for the remainder of the period for which the Company would have held it under the terms thereof.

(6) If, on the appointed day, any suit, appeal or other proceeding of whatever nature, in relation to any property or asset which has vested in the State Government under section 3, instituted or preferred by or against the Company, is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertakings of the Company or of anything contained in this Act, but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, by or against such Government company.

Central Government or State Government or existing or new Government company not to be liable for certain prior liabilities.

5. (1) Every liability, other than the liability specified in sub-section (2), of the Company in respect of any period prior to the appointed day shall be the liability of the Company and shall be enforceable against it and not against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

(2) Any liability arising in respect of—

(a) loans advanced by the Central Government or the State Government, or both, to the Company (together with interest due thereon), on or after the date of taking over of management of the undertakings of the Company,

(b) loans advanced by a bank to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(c) loans advanced by the Industrial Reconstruction Bank of India Limited to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(d) wages, salaries and other dues of employees of the Company and dues on account of any deductions made from wages and salaries and other dues of such employees relating to any period commencing on and from the date of taking over of management of the undertakings of the Company, or

(e) any debt incurred by the Company during any period commencing on and from the date of taking over of management of the undertakings of the Company, not being a debt falling under clause (a), clause (b), clause (c) or clause (d)

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 6, 7.)

shall, on and from the appointed day, be the liability of the State Government or the Government company as aforesaid and shall be discharged by the State Government or the existing Government company or the new Government company as aforesaid as and when repayment of such loans becomes due or such wages, salaries and other dues or debt become due and payable.

(3) For the removal of doubts, it is hereby declared that—

(a) save as otherwise expressly provided in this Act, no liability of the Company in relation to its undertakings in respect of any period prior to the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(b) no award, decree or order of any court, tribunal or other authority in relation to the undertakings of the Company passed on or after the appointed day, in respect of any matter, claim or dispute, which arose before the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(c) no liability incurred by the Company before the appointed day for the contravention of any provision of any law for the time being in force shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

Power of State Government to direct vesting of the undertakings of the Company in an existing Government company.

6. (1) Notwithstanding anything contained in sections 3 and 4, the State Government may, if it is satisfied that an existing Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that existing Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in an existing Government company, that Government company shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the rights and liabilities, respectively, of that existing Government company.

Power of State Government to direct vesting of the undertakings of the Company in a new Government company.

7. (1) Notwithstanding anything contained in sections 3, 4 and 6, the State Government may, if it is satisfied that a new Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that new Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the date of registration of the new Government company) as may be specified in the notification.

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 8-10.)

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in a new Government company, that new Government company shall, on and from the date of such vesting, be deemed to have become the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, respectively, of that new Government company.

Payment of amount.

8. (1) For the transfer to, and vesting in, the State Government, under section 3, of the undertakings of the Company and the right, title and interest of the Company in relation to its undertakings, there shall be given by the State Government to the Company in cash, as a one-time settlement, a sum of rupees one crore forty-seven lakhs and fifty-three thousand within such time as the State Government may by notification specify.

(2) For the avoidance of doubts, it is hereby declared that the liabilities of the Company in relation to the undertakings which have vested in the State Government under section 3, shall be met from the amount specified in sub-section (1).

(3) For the deprivation of the Company of the management of its undertakings, there shall be given to the Company by the State Government an amount of rupees two thousand one hundred and seventy-five.

(4) Every person having a claim against the Company shall prefer such claim before the Commissioner of Payments appointed under section 9 within such period as the State Government may by notification specify. The procedure of disposing the claim shall be such as may be prescribed.

(5) Notwithstanding anything contained elsewhere in this Act,—

(a) any amount payable to any bank or financial institution towards repayment of the principal amount of any secured loans advanced by such bank or financial institution to the Company before the date of taking over of management of the undertakings of the Company, shall be paid directly by the State Government to such bank or financial institution in accordance with such agreement, in writing, as the State Government and the bank or the financial institution may enter into with each other; and

(b) the amount payable by the State Government directly to any bank or financial institution under clause (a) shall be deducted from the amount payable to the Company under this section.

Appointment of Commissioner of Payments.

9. (1) The State Government shall, for the purpose of disbursing the amounts payable under section 8, by notification, appoint a Commissioner of Payments.

(2) The salary and allowances of the Commissioner appointed under this section shall be defrayed out of the Consolidated Fund of the State.

Management, etc., of the undertakings of the Company.

10. (1) The general superintendence, direction, control and management of the affairs and business of the undertakings of the Company, the right, title and interest in relation to which have vested in the State Government under section 3, shall,—

(a) where a direction has been given by the State Government under sub-section (1) of section 6, vest, on and from the date specified in such direction, in the existing Government company specified therein, or

(b) where a direction has been given by the State Government under sub-section (1) of section 7, vest, on and from the date specified in such direction, in the new Government company specified therein, or

(c) where no direction referred to in clause (a) or clause (b) has been given, vest in one or more Custodians appointed by the State Government under sub-section (2),

and thereupon the existing, or new, Government company so specified or the Custodian or Custodians so appointed, as the case may be, shall be entitled to exercise, to the exclusion of all other persons, all such powers and do all such things as the Company is authorised to exercise and do in relation to its undertakings.

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 11-13.)

(2) The State Government may appoint one or more individuals or a Government company as the Custodian or Custodians of the undertakings of the Company in relation to which no direction has been given by it under sub-section (1) of section 6 or sub-section (1) of section 7.

(3) The Custodian or Custodians so appointed shall receive from the funds of the undertakings of the Company such remuneration as the State Government may fix and hold office during the pleasure of the State Government.

Duty of person in charge of management of the undertakings of the Company to deliver all assets, etc.

11. (1) On the vesting of the management of the undertakings of the Company in an existing, or new, Government company or on the appointment of a Custodian or Custodians, all persons in charge of the management of the undertakings of the Company immediately before such vesting or appointment shall be bound to deliver to such Government company, or Custodian or Custodians, as the case may be, all assets, books of account, registers and other documents in their custody relating to the undertakings of such Company.

(2) The State Government may issue such directions as it may deem desirable in the circumstances of the case to the existing, or new, Government company or the Custodian or Custodians as to the power and duties of such Government company or Custodian or Custodians, and such Government company or Custodian or Custodians may also, if it is considered necessary so to do, apply to the State Government at any time for instructions as to the manner in which the management of the undertakings of the Company shall be conducted or in relation to any other matter arising in the course of such management.

(3) Any person, who on the appointed day has in his possession or under his control any books, documents or other papers relating to the undertakings of the Company which have vested in the State Government or in any existing, or new, Government company and which belong to the Company, or would have so belonged if the undertakings of the Company had not vested in the State Government or the existing, or new, Government company, shall be liable to account for the said books, documents or other papers to the State Government or the existing, or new, Government company, as the case may be, and shall deliver them up to the State Government or the existing, or new, Government company, or to such person or body of persons as the State Government or such Government company may specify in this behalf.

(4) The State Government or the existing, or new, Government company may take, or cause to be taken, all necessary steps for securing possession of all undertakings which have vested in the State Government or the existing, or new, Government company under this Act.

(5) The Company shall, within such period as the State Government may allow in this behalf, furnish to that Government a complete inventory of all its properties and assets, as on the appointed day, pertaining to the undertakings which have vested in the State Government under section 3, and, for this purpose, the State Government or the existing, or new, Government company shall afford to the Company all reasonable facilities.

Accounts and audit.

12. The Custodian or Custodians of the undertakings of the Company shall maintain an account of the undertakings of the Company in such form and under such conditions as may be prescribed and the provisions of the Companies Act, 1956 shall apply to the audit of the accounts so maintained as they apply to the audit of the accounts of a company. 1 of 1956.

Employment of certain employees to continue.

13. Every person who has been, immediately before the appointed day, employed in any of the undertakings of the Company shall become,—

(a) on and from the appointed day, an employee of the State Government, and

(b) where the undertakings of the Company are directed to vest, under sub-section (1) of section 6, in an existing Government company, or under sub-section (1) of section 7, in a new Government company, an employee of such Government company on and from the date of such vesting,

and shall hold office or service under the State Government or the existing, or new, Government company, as the case may be, with the same rights and privileges as to

The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 14-18.)

pension, gratuity and other matters as would have been admissible to him if there had been no such vesting or transfer and shall continue to do so unless and until his employment under the State Government or the existing, or new, Government company, as the case may be, is duly terminated or until his remuneration and other conditions of service are duly altered by the State Government or the existing, or new, Government company, as the case may be.

Act to have overriding effect.

14. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act, or in any decree or order of any court, tribunal or other authority.

Protection of action taken in good faith.

15. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer of that Government or the Custodian of the undertakings of the Company or the existing, or new, Government company or any officer or other person authorised by that Government or existing, or new, Government company for anything which is in good faith done or intended to be done under this Act.

Power to make rules.

16. (1) The State Government may, by notification, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which under any provision of this Act, are required to be prescribed or to be provided for by rules.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be, after it is made, before the State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modifications in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to remove difficulties.

17. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of coming into force of this Act.

Repeal and saving.

18. (1) The Lily Biscuit Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996, is hereby repealed. West Ben. Ord. VI of 1996.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-16**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 21] FRIDAY, JULY 12, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1266-L.—12th July, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XIII of 1996

THE LILY BARLEY MILLS (PRIVATE) LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 12th July, 1996.]

An Act to provide for the acquisition and transfer, in the public interest, of the undertakings of the Lily Barley Mills (Private) Limited, and for matters connected therewith or incidental thereto.

WHEREAS the Lily Barley Mills (Private) Limited had been engaged in the manufacture of flour;

AND WHEREAS the management of the undertakings of the Lily Barley Mills (Private) Limited had been conducted in a manner highly detrimental to the public interest;

AND WHEREAS the management of the undertakings of the Lily Barley Mills (Private) Limited was taken over by the Central Government under section 18A of the Industries (Development and Regulation) Act, 1951, on and from the 27th day of March, 1979; 65 of 1951.

AND WHEREAS the period of the taking over of the management of the Company expired on the 26th day of March, 1996;

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 1-4.)

AND WHEREAS for the purpose of reconstructing and rehabilitating the undertakings of the Lily Barley Mills (Private) Limited so as to subserve the interest of the general public by augmentation of production and distribution of the aforesaid articles which are essential to the needs of the general public, it is necessary to acquire the undertakings of the Company;

It is hereby enacted in the Foty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(2) It shall be deemed to have come into force on the 27th day of March, 1996.

Definitions

2. In this Act, unless the context otherwise requires,—

(a) "appointed day" means the date on which this Act comes into force;

(b) "Commissioner" means the Commissioner of Payments appointed under section 9;

(c) "Company" means the Lily Barley Mills (Private) Limited, being a company as defined in the Companies Act, 1956, and having its registered office at 19, Murari Pukur Lane, Calcutta-700 067; 1 of 1956

(d) "date of taking over of management of the undertakings of the Company" means the 27th day of March, 1979;

(e) "existing Government company" means a Government company which is carrying on business on the appointed day;

(f) "new Government company" means a Government company formed and registered on or after the appointed day;

(g) "notification" means a notification published in the *Official Gazette*;

(h) "prescribed" means prescribed by rules made under this Act;

(i) words and expressions used herein and not defined, but defined in the Companies Act, 1956, have the meanings respectively assigned to them in that Act.

Transfer to, and vesting in, State Government of the undertakings of the Company

3. On the appointed day,the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings, shall, by virtue of this Act, stand transferred to, and vest in, the State Government.

General effect of vesting

4. (1) The undertakings of the Company shall be deemed to include all assets, rights, lease-holds, powers, authorities and privileges, and all property, movable and immovable, including lands, buildings, offices, factories, workshops, stores, instruments, plants, machinery and equipment, installations, laboratories, office furniture, stationery and equipment, vehicles, patents, trade marks, cash balances, cash in hand, reserve funds, investments, book debts and all other rights and interests in, or arising out of, such property as were immediately before the appointed day in the ownership, possession, power or control of the Company, whether within or outside India, and all books of accounts, registers and all other documents of whatever nature relating thereto.

(2) All properties and assets as aforesaid which have vested in the State Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charges, liens and all other encumbrances affecting them, and any attachment, injunction, decree or order of any court or other authority restricting the use of such properties or assets in any manner or appointing any receiver in respect of the whole or any part of such properties or assets shall be deemed to have been withdrawn.

(3) Every mortgagee of any property which has vested under this Act in the State Government and every person holding any charge, lien or other interest in, or in relation to, any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Section 5.)

(4) For the removal of doubts, it is hereby declared that the mortgagee of any property referred to in sub-section (3) or any other person holding any charge, lien or other interest in, or in relation to, any such property shall be entitled to claim, in accordance with his rights and interests, payment of the mortgage money or other dues, in whole or in part, out of the amount of compensation determined under sub-section (1), and also out of the amount determined under sub-section (2), of section 7, but, no such mortgage, charge, lien or other interests shall be enforceable against any property which has vested in the State Government.

(5) Any licence or other instrument granted to the Company in relation to any undertaking which has vested in the State Government under section 3 at any time before the appointed day and in force immediately before the appointed day shall continue to be in force on and after such day in accordance with its tenor in relation to and for the purpose of such undertaking, and, on and from the date of vesting of such undertaking, under section 6, in an existing Government company, or under section 7, in a new Government company, the existing or the new Government company, as the case may be, shall be deemed to be substituted in such licence or other instrument as if such licence or other instrument had been granted to such existing or new Government company and such existing or new Government company shall hold it for the remainder of the period for which the Company would have held it under the terms thereof.

(6) If, on the appointed day, any suit, appeal or other proceeding of whatever nature, in relation to any property or asset which has vested in the State Government under section 3, instituted or preferred by or against the Company, is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertakings of the Company or of anything contained in this Act, but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, by or against such Government company.

Central Government or State Government or existing or new Government company not to be liable for certain prior liabilities.

5. (1) Every liability, other than the liability specified in sub-section (2), of the Company in respect of any period prior to the appointed day shall be the liability of the Company and shall be enforceable against it and not against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

(2) Any liability arising in respect of—

(a) loans advanced by the Central Government or the State Government, or both, to the Company (together with interest due thereon), on or after the date of taking over of management of the undertakings of the Company,

(b) loans advanced by a bank to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(c) loans advanced by the Industrial Reconstruction Bank of India Limited to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(d) wages, salaries and other dues of employees of the Company and dues on account of any deductions made from wages and salaries and other dues of such employees relating to any period commencing on and from the date of taking over of management of the undertakings of the Company, or

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Section 6.)

(e) any debt incurred by the Company during any period commencing on and from the date of taking over of management of the undertakings of the Company, not being a debt falling under clause (a), clause (b), clause (c) or clause (d),

shall, on and from the appointed day, be the liability of the State Government or the Government company as aforesaid and shall be discharged by the State Government or the existing Government company or the new Government company as aforesaid as and when repayment of such loans becomes due or such wages, salaries and other dues or debt become due and payable.

(3) For the removal of doubts, it is hereby declared that—

(a) save as otherwise expressly provided in this Act, no liability of the Company in relation to its undertakings in respect of any period prior to the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(b) no award, decree or order of any court, tribunal or other authority in relation to the undertakings of the Company passed on or after the appointed day, in respect of any matter, claim or dispute, which arose before the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(c) no liability incurred by the Company before the appointed day for the contravention of any provision of any law for the time being in force shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

Power of State Government to direct vesting of the undertakings of the Company in an existing Government company.

6. (1) Notwithstanding anything contained in sections 3 and 4, the State Government may, if it is satisfied that an existing Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that existing Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in an existing Government company, that Government company shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the rights and liabilities, respectively, of that existing Government company.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 7-9.)

Power of State Government to direct vesting of the undertakings of the Company in a new Government company.

7. (1) Notwithstanding anything contained in sections 3, 4 and 6, the State Government may, if it is satisfied that a new Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that new Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the date of registration of the new Government company) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in a new Government company, that new Government company shall, on and from the date of such vesting, be deemed to have become the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, respectively, of that new Government company.

Payment of amount

8. (1) For the transfer to, and vesting in, the State Government, under section 3, of the undertakings of the Company and the right, title and interest of the Company in relation to its undertakings, there shall be given by the State Government to the Company in cash, as a one-time settlement, a sum of rupees forty-one thousand within such time as the State Government may by notification specify.

(2) For the avoidance of doubts, it is hereby declared that the liabilities of the Company in relation to the undertakings which have vested in the State Government under section 3, shall be met from the amount specified in sub-section (1).

(3) For the deprivation of the Company of the management of its undertakings, there shall be given to the Company by the State Government an amount of rupees five hundred and twenty-three.

(4) Every person having a claim against the Company shall prefer such claim before the Commissioner of Payments appointed under section 9 within such period as the State Government may by notification specify. The procedure of disposing the claim shall be such as may be prescribed.

(5) Notwithstanding anything contained elsewhere in this Act,—

(a) any amount payable to any bank or financial institution towards repayment of the principal amount of any secured loans advanced by such bank or financial institution to the Company before the date of taking over of management of the undertakings of the Company, shall be paid directly by the State Government to such bank or financial institution in accordance with such agreement, in writing, as the State Government and the bank or the financial institution may enter into with each other; and

(b) the amount payable by the State Government directly to any bank or financial institution under clause (a) shall be deducted from the amount payable to the Company under this section.

Appointment of Commissioner of Payments.

9. (1) The State Government shall, for the purpose of disbursing the amounts payable under section 8, by notification, appoint a Commissioner of Payments.

(2) The salary and allowances of the Commissioner appointed under this section shall be defrayed out of the Consolidated Fund of the State.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 10, 11.)

Management, etc., of the undertakings of the Company

10. (1) The general superintendence, direction, control and management of the affairs and business of the undertakings of the Company, the right, title and interest in relation to which have vested in the State Government under section 3, shall,—

(a) where a direction has been given by the State Government under sub-section (1) of section 6, vest, on and from the date specified in such direction, in the existing Government company specified therein, or

(b) where a direction has been given by the State Government under sub-section (1) of section 7, vest, on and from the date specified in such direction, in the new Government company specified therein, or

(c) where no direction referred to in clause (a) or clause (b) has been given, vest in one or more Custodians appointed by the State Government under sub-section (2),

and thereupon the existing, or new, Government company so specified or the Custodian or Custodians so appointed, as the case may be, shall be entitled to exercise, to the exclusion of all other persons, all such powers and do all such things as the Company is authorised to exercise and do in relation to its undertakings.

(2) The State Government may appoint one or more individuals or a Government company as the Custodian or Custodians of the undertakings of the Company in relation to which no direction has been given by it under sub-section (1) of section 6 or sub-section (1) of section 7.

(3) The Custodian or Custodians so appointed shall receive from the funds of the undertakings of the Company such remuneration as the State Government may fix and hold office during the pleasure of the State Government.

Duty of person in charge of management of the undertakings of the Company to deliver all assets, etc

11. (1) On the vesting of the management of the undertakings of the Company in an existing, or new, Government company or on the appointment of a Custodian or Custodians, all persons in charge of the management of the undertakings of the Company immediately before such vesting or appointment shall be bound to deliver to such Government company, or Custodian or Custodians, as the case may be, all assets, books of account, registers and other documents in their custody relating to the undertakings of such Company.

(2) The State Government may issue such directions as it may deem desirable in the circumstances of the case to the existing, or new, Government company or the Custodian or Custodians as to the power and duties of such Government company or Custodian or Custodians, and such Government company or Custodian or Custodians may also, if it is considered necessary so to do, apply to the State Government at any time for instructions as to the manner in which the management of the undertakings of the Company shall be conducted or in relation to any other matter arising in the course of such management.

(3) Any person, who on the appointed day has in his possession or under his control any books, documents or other papers relating to the undertakings of the Company which have vested in the State Government or in any existing, or new, Government company and which belong to the Company, or would have so belonged if the undertakings of the Company had not vested in the State Government or the existing, or new, Government company, shall be liable to account for the said books, documents or other papers to the State Government or the existing, or new, Government company, as the case may be, and shall deliver them up to the State Government or the existing, or new, Government company, or to such person or body of persons as the State Government or such Government company may specify in this behalf.

(4) The State Government or the existing, or new, Government company may take, or cause to be taken, all necessary steps for securing possession of all undertakings which have vested in the State Government or the existing, or new, Government company under this Act.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 12-16.)

(5) The Company shall, within such period as the State Government may allow in this behalf, furnish to that Government a complete inventory of all its properties and assets, as on the appointed day, pertaining to the undertakings which have vested in the State Government under section 3, and, for this purpose, the State Government or the existing, or new, Government company shall afford to the Company all reasonable facilities.

Accounts and audit.

12. The Custodian or Custodians of the undertakings of the Company shall maintain an account of the undertakings of the Company in such form and under such conditions as may be prescribed and the provisions of the Companies Act, 1956 shall apply to the audit of the accounts so maintained as they apply to the audit of the accounts of a company. 1 of 1956.

Employment of certain employees to continue.

13. Every person who has been, immediately before the appointed day, employed in any of the undertakings of the Company shall become,—

(a) on and from the appointed day, an employee of the State Government, and

(b) where the undertakings of the Company are directed to vest, under sub-section (1) of section 6, in an existing Government company, or under sub-section (1) of section 7, in a new Government company, an employee of such Government company on and from the date of such vesting,

and shall hold office or service under the State Government or the existing, or new, Government company, as the case may be, with the same rights and privileges as to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting or transfer and shall continue to do so unless and until his employment under the State Government or the existing, or new, Government company, as the case may be, is duly terminated or until his remuneration and other conditions of service are duly altered by the State Government or the existing, or new, Government company, as the case may be.

Act to have overriding effect.

14. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act, or in any decree or order of any court, tribunal or other authority.

Protection of action taken in good faith.

15. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer of that Government or the Custodian of the undertakings of the Company or the existing, or new, Government company or any officer or other person authorised by that Government or existing, or new, Government company for anything which is in good faith done or intended to be done under this Act.

Power to make rules.

16. (1) The State Government may, by notification, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which under any provision of this Act, are required to be prescribed or to be provided for by rules.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be, after it is made, before the State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modifications in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 17, 18.)

Power to remove difficulties.

17. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of coming into force of this Act.

Repeal and saving.

18. (1) The Lily Barley Mills (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996, is hereby repealed. West Ben. Ord. VII of 1996.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-17**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 21] FRIDAY, JULY 12, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1269-L.—12th July, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XIV of 1996

THE APOLLO ZIPPER COMPANY (PRIVATE) LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 12th July, 1996.]

An Act to provide for the acquisition and transfer, in the public interest, of the undertakings of the Apollo Zipper Company (Private) Limited, and for matters connected therewith or incidental thereto.

WHEREAS the Apollo Zipper Company (Private) Limited had been engaged in the manufacture of zip-fastener;

AND WHEREAS the management of the undertakings of the Apollo Zipper Company (Private) Limited had been conducted in a manner highly detrimental to the public interest;

AND WHEREAS the management of the undertakings of the Apollo Zipper Company (Private) Limited was taken over by the Central Government under section 18A of the Industries (Development and Regulation) Act, 1951, on and from the 26th day of May, 1979; 65 of 1951.

AND WHEREAS the period of the taking over of the management of the Company expired on the 31st day of March, 1996;

AND WHEREAS for the purpose of reconstructing and rehabilitating the undertakings of the Apollo Zipper Company (Private) Limited so as to subserve the interest of the

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 1-4.)

general public by augmentation of production and distribution of the aforesaid articles which are essential to the needs of the general public, it is necessary to acquire the undertakings of the Company;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(2) It shall be deemed to have come into force on the 1st day of April, 1996.

Definitions

2. In this Act, unless the context otherwise requires,—

(a) "appointed day" means the date on which this Act comes into force;

(b) "Commissioner" means the Commissioner of Payments appointed under section 9;

(c) "Company" means the Apollo Zipper Company (Private) Limited, being a company as defined in the Companies Act, 1956, and having its registered office at 20B, British Indian Street, Calcutta; 1 of 1956.

(d) "date of taking over of management of the undertakings of the Company" means the 26th day of May, 1979;

(e) "existing Government company" means a Government company which is carrying on business on the appointed day;

(f) "new Government company" means a Government company formed and registered on or after the appointed day;

(g) "notification" means a notification published in the *Official Gazette*;

(h) "prescribed" means prescribed by rules made under this Act;

(i) words and expressions used herein and not defined, but defined in the Companies Act, 1956, have the meanings respectively assigned to them in that Act.

Transfer to, and vesting in, State Government of the undertakings of the Company

3. On the appointed day, the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings, shall, by virtue of this Act, stand transferred to, and vest in, the State Government.

General effect of vesting

4. (1) The undertakings of the Company shall be deemed to include all assets, rights, lease-holds, powers, authorities and privileges, and all property, movable and immovable, including lands, buildings, offices, factories, workshops, stores, instruments, plants, machinery and equipment, installations, laboratories, office furniture, stationery and equipment, vehicles, patents, trade marks, cash balances, cash in hand, reserve funds, investments, book debts and all other rights and interests in, or arising out of, such property as were immediately before the appointed day in the ownership, possession, power or control of the Company, whether within or outside India, and all books of accounts, registers and all other documents of whatever nature relating thereto.

(2) All properties and assets as aforesaid which have vested in the State Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charges, liens and all other encumbrances affecting them, and any attachment, injunction, decree or order of any court or other authority restricting the use of such properties or assets in any manner or appointing any receiver in respect of the whole or any part of such properties or assets shall be deemed to have been withdrawn.

(3) Every mortgagee of any property which has vested under this Act in the State Government and every person holding any charge, lien or other interest in, or in relation to, any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Section 5.)

(4) For the removal of doubts, it is hereby declared that the mortgagee of any porperty referred to in sub-section (3) or any other person holding any charge, lien or other interest in, or in relation to, any such property shall be entitled to claim, in accordance with his rights and interests, payment of the mortgage money or other dues, in whole or in part, out of the amount of compensation determined under sub-section (1), and also out of the amount determined under sub-section (2), of section 7, but, no such mortgage, charge, lien or other interests shall be enforceable against any property which has vested in the State Government.

(5) Any licence or other instrument granted to the Company in relation to any undertaking which has vested in the State Government under section 3 at any time before the appointed day and in force immediately before the appointed day shall continue to be in force on and after such day in accordance with its tenor in relation to and for the purpose of such undertaking, and, on and from the date of vesting of such undertaking, under section 6, in an existing Government company, or under section 7, in a new Government company, the existing or the new Government company, as the case may be, shall be deemed to be substituted in such licence or other instrument as if such licence or other instrument had been granted to such existing or new Government company and such existing or new Government company shall hold it for the remainder of the period for which the Company would have held it under the terms thereof.

(6) If, on the appointed day, any suit, appeal or other proceeding of whatever nature, in relation to any property or asset which has vested in the State Government under section 3, instituted or preferred by or against the Company, is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertakings of the Company or of anything contained in this Act, but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, by or against such Government company.

Central Government or State Government or existing or new Government company not to be liable for certain prior liabilities

5. (1) Every liability, other than the liability specified in sub-section (2), of the Company in respect of any period prior to the appointed day shall be the liability of the Company and shall be enforceable against it and not against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

(2) Any liability arising in respect of—

(a) loans advanced by the Central Government or the State Government, or both, to the Company (together with interest due thereon), on or after the date of taking over of management of the undertakings of the Company,

(b) loans advanced by a bank to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(c) loans advanced by the Industrial Reconstruction Bank of India Limited to the Company (together with interest due thereon) on or after the date of taking over of management of the undertakings of the Company,

(d) wages, salaries and other dues of employees of the Company and dues on account of any deductions made from wages and salaries and other dues of such employees relating to any period commencing on and from the date of taking over of management of the undertakings of the Company, or

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Section 6.)

(e) any debt incurred by the Company during any period commencing on and from the date of taking over of management of the undertakings of the Company, not being a debt falling under clause (a), clause (b), clause (c) or clause (d),

shall, on and from the appointed day, be the liability of the State Government or the Government company as aforesaid and shall be discharged by the State Government or the existing Government company or the new Government company as aforesaid as and when repayment of such loans becomes due or such wages, salaries and other dues or debt become due and payable.

(3) For the removal of doubts, it is hereby declared that—

(a) save as otherwise expressly provided in this Act, no liability of the Company in relation to its undertakings in respect of any period prior to the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(b) no award, decree or order of any court, tribunal or other authority in relation to the undertakings of the Company passed on or after the appointed day, in respect of any matter, claim or dispute, which arose before the appointed day shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company;

(c) no liability incurred by the Company before the appointed day for the contravention of any provision of any law for the time being in force shall be enforceable against the Central Government or the State Government or, where the undertakings of the Company are directed to vest, under section 6, in an existing Government company, or under section 7, in a new Government company, against such Government company.

Power of State Government to direct vesting of the undertakings of the Company in an existing Government company.

6. (1) Notwithstanding anything contained in sections 3 and 4, the State Government may, if it is satisfied that an existing Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that existing Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in an existing Government company, that Government company shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become, and shall be deemed to be, the rights and liabilities, respectively, of that existing Government company.

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 7-10.)

Power of State Government to direct vesting of the undertakings of the Company in a new Government company

7. (1) Notwithstanding anything contained in sections 3, 4 and 6, the State Government may, if it is satisfied that a new Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the undertakings of the Company, and the right, title and interest of the Company in relation to its undertakings which have vested in the State Government under section 3, shall, instead of continuing to vest in the State Government, vest in that new Government company either on the date of publication of the notification or on such earlier or later date (not being a date earlier than the date of registration of the new Government company) as may be specified in the notification.

(2) Where the right, title and interest of the Company in relation to its undertakings vest under sub-section (1) in a new Government company, that new Government company shall, on and from the date of such vesting, be deemed to have become the owner in relation to such undertakings and the rights and liabilities of the State Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, respectively, of that new Government company.

Payment of amount.

8. (1) For the transfer to, and vesting in, the State Government, under section 3, of the undertakings of the Company and the right, title and interest of the Company in relation to its undertakings, there shall be given by the State Government to the Company in cash, as a one-time settlement, a sum of rupees eight lakhs and twenty one thousand within such time as the State Government may by notification specify.

(2) For the avoidance of doubts, it is hereby declared that the liabilities of the Company in relation to the undertakings which have vested in the State Government under section 3, shall be met from the amount specified in sub-section (1).

(3) For the deprivation of the Company of the management of its undertakings, there shall be given to the Company by the State Government an amount of rupees one hundred and thirty two.

(4) Every person having a claim against the Company shall prefer such claim before the Commissioner of Payments appointed under section 9 within such period as the State Government may by notification specify. The procedure of disposing the claim shall be such as may be prescribed.

(5) Notwithstanding anything contained elsewhere in this Act,—

(a) any amount payable to any bank or financial institution towards repayment of the principal amount of any secured loans advanced by such bank or financial institution to the Company before the date of taking over of management of the undertakings of the Company, shall be paid directly by the State Government to such bank or financial institution in accordance with such agreement, in writing, as the State Government and the bank or the financial institution may enter into with each other; and

(b) the amount payable by the State Government directly to any bank or financial institution under clause (a) shall be deducted from the amount payable to the Company under this section.

Appointment of Commissioner of Payments.

9. (1) The State Government shall, for the purpose of disbursing the amounts payable under section 8, by notification, appoint a Commissioner of Payments.

(2) The salary and allowances of the Commissioner appointed under this section shall be defrayed out of the Consolidated Fund of the State.

Management, etc., of the undertakings of the Company.

10. (1) The general superintendence, direction, control and management of the affairs and business of the undertakings of the Company, the right, title and interest in relation to which have vested in the State Government under section 3, shall,—

(a) where a direction has been given by the State Government under sub-section (1) of section 6, vest, on and from the date specified in such direction, in the existing Government company specified therein, or

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Section 11.)

(b) where a direction has been given by the State Government under sub-section (1) of section 7, vest, on and from the date specified in such direction, in the new Government company specified therein, or

(c) where no direction referred to in clause (a) or clause (b) has been given, vest in one or more Custodians appointed by the State Government under sub-section (2),

and thereupon the existing, or new, Government company so specified or the Custodian or Custodians so appointed, as the case may be, shall be entitled to exercise, to the exclusion of all other persons, all such powers and do all such things as the Company is authorised to exercise and do in relation to its undertakings.

(2) The State Government may appoint one or more individuals or a Government company as the Custodian or Custodians of the undertakings of the Company in relation to which no direction has been given by it under sub-section (1) of section 6 or sub-section (1) of section 7.

(3) The Custodian or Custodians so appointed shall receive from the funds of the undertakings of the Company such remuneration as the State Government may fix and hold office during the pleasure of the State Government.

Duty of person in charge of management of the undertakings of the Company to deliver all assets, etc.

11. (1) On the vesting of the management of the undertakings of the Company in an existing, or new, Government company or on the appointment of a Custodian or Custodians, all persons in charge of the management of the undertakings of the Company immediately before such vesting or appointment shall be bound to deliver to such Government company, or Custodian or Custodians, as the case may be, all assets, books of account, registers and other documents in their custody relating to the undertakings of such Company.

(2) The State Government may issue such directions as it may deem desirable in the circumstances of the case to the existing, or new, Government company or the Custodian or Custodians as to the power and duties of such Government company or Custodian or Custodians, and such Government company or Custodian or Custodians may also, if it is considered necessary so to do, apply to the State Government at any time for instructions as to the manner in which the management of the undertakings of the Company shall be conducted or in relation to any other matter arising in the course of such management.

(3) Any person, who on the appointed day has in his possession or under his control any books, documents or other papers relating to the undertakings of the Company which have vested in the State Government or in any existing, or new, Government company and which belong to the Company, or would have so belonged if the undertakings of the Company had not vested in the State Government or the existing, or new, Government company, shall be liable to account for the said books, documents or other papers to the State Government or the existing, or new, Government company, as the case may be, and shall deliver them up to the State Government or the existing, or new, Government company, or to such person or body of persons as the State Government or such Government company may specify in this behalf.

(4) The State Government or the existing, or new, Government company may take, or cause to be taken, all necessary steps for securing possession of all undertakings which have vested in the State Government or the existing, or new, Government company under this Act.

(5) The Company shall, within such period as the State Government may allow in this behalf, furnish to that Government a complete inventory of all its properties and assets, as on the appointed day, pertaining to the undertakings which have vested in the State Government under section 3, and, for this purpose, the State Government or the existing, or new, Government company shall afford to the Company all reasonable facilities.

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 12-16.)

Accounts and audit.

12. The Custodian or Custodians of the undertakings of the Company shall maintain an account of the undertakings of the Company in such form and under such conditions as may be prescribed and the provisions of the Companies Act, 1956 shall apply to the audit of the accounts so maintained as they apply to the audit of the accounts of a company. 1 of 1956.

Employment of certain employees to continue.

13. Every person who has been, immediately before the appointed day, employed in any of the undertakings of the Company shall become,—

(a) on and from the appointed day, an employee of the State Government, and

(b) where the undertakings of the Company are directed to vest, under sub-section (1) of section 6, in an existing Government company, or under sub-section (1) of section 7, in a new Government company, an employee of such Government company on and from the date of such vesting,

and shall hold office or service under the State Government or the existing, or new, Government company, as the case may be, with the same rights and privileges as to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting or transfer and shall continue to do so unless and until his employment under the State Government or the existing, or new, Government company, as the case may be, is duly terminated or until his remuneration and other conditions of service are duly altered by the State Government or the existing, or new, Government company, as the case may be.

Act to have overriding effect.

14. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act, or in any decree or order of any court, tribunal or other authority.

Protection of action taken in good faith.

15. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer of that Government or the Custodian of the undertakings of the Company or the existing, or new, Government company or any officer or other person authorised by that Government or existing, or new, Government company for anything which is in good faith done or intended to be done under this Act.

Power to make rules

16. (1) The State Government may, by notification, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which under any provision of this Act, are required to be prescribed or to be provided for by rules.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be, after it is made, before the State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modifications in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Act, 1996.

(Sections 17, 18.)

Power to remove difficulties.

17. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of coming into force of this Act.

Repeal and saving.

18. (1) The Apollo Zipper Company (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1996, is hereby repealed. West Ben. Ord. V of 1996.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

By order of the Governor. .

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056.

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-18**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 21] FRIDAY, JULY 12, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1272-L.—12th July, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XV of 1996

THE WEST BENGAL SCHEDULED CASTES AND SCHEDULED TRIBES (RESERVATION OF VACANCIES IN SERVICES AND POSTS) (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 12th July, 1996.]

An Act to amend the West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1976.

WHEREAS it is expedient to amend the West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1976, for the purposes and in the manner hereinafter appearing; West Ben. Act XXVII of 1976.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) (Amendment) Act, 1996.

(2) It shall come into force at once.

The West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) (Amendment) Act, 1996.

(Sections 2-6)

Insertion of new section 5A in West Ben Act XXVII of 1976

2. After section 5 of the West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1976 (hereinafter referred to as the principal Act), the following section shall be inserted:—

"Certificate of identification

5A. A candidate who claims to be a member of the Scheduled Castes or the Scheduled Tribes shall support his candidature by a certificate of identification in accordance with the provisions of the West Bengal Scheduled Castes and Scheduled Tribes (Identification) Act, 1994." West Ben Act XXXVIII of 1994

Amendment of section 6

3. In section 6 of the principal Act, after sub-section (2), the following sub-section shall be inserted.—

"(3) Notwithstanding anything contained in the foregoing provisions of this section or elsewhere in this Act, if, in the public interest, it is necessary or expedient to fill up any vacancy in any post in any primary, secondary or higher secondary school in any district owned or aided by the State Government, caused by deputation or leave of the incumbent of that post for a period not exceeding ten months and remaining unfilled on account of non-availability of a qualified Scheduled Caste or Scheduled Tribe candidate, as the case may be, the appointing authority may refer the vacancy to the District Commissioner for Reservation, referred to in sub-section (1), or sub-section (1A), as the case may be, of section 6B, for that district for dereservation. Upon such reference, the District Commissioner for Reservation as aforesaid may, if he is satisfied that it is necessary or expedient so to do, by order, dereserve the vacancy, subject to the condition that the reservation against the vacancy so dereserved shall be carried forward against the subsequent unreserved vacancy in any such post caused by such deputation or leave for such period "

Amendment of section 6A

4. In section 6A of the principal Act,—

(1) in sub-section (2), after clause (a), the following clause shall be inserted:—

"(a1) having its offices and fixed territorial jurisdiction in Calcutta, or",

(2) after sub-section (3), the following sub-section shall be inserted.—

"(4) Where a complaint is filed in any court having jurisdiction against an appointing authority under sub-section (3) for contravening any provision of this Act and thereby committing an offence punishable under section 7, the burden of proof that no contravention of any provision of this Act has been made by him, shall lie with him.".

Amendment of section 6B

5. In section 6B of the principal Act,—

(1) after sub-section (1), the following sub-section shall be inserted:—

"(1A) For the purposes of this section, Calcutta as defined in the *Explanation* to sub-section (2) of section 6A, shall be deemed to be a district, and the District Magistrate, South 24-Parganas, shall be the District Commissioner for that district ";

(2) after sub-section (3), the following sub-section shall be inserted.—

"(4) Where a complaint is filed in any court having jurisdiction against an appointing authority under sub-section (3) for contravening any provision of this Act and thereby committing an offence punishable under section 7, the burden of proof that no contravention of any provision of this Act has been made by him, shall lie with him."

Amendment of section 7

6. In section 7 of the principal Act, for the words "he shall be punishable with fine which may extend to two hundred and fifty rupees:", the words, figures and brackets "or fails to maintain records, or to furnish the annual return, referred to in sub-section (1) of section 12, he shall be punishable with imprisonment for a term of five years, or with fine of two thousand and five hundred rupees, or with both:" shall be substituted

The West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) (Amendment) Act, 1996.

(Section 7.)

Amendment of Schedule.

7. In the Schedule to the principal Act, paragraph (ix) shall be omitted.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No. WB(Part-IV)/96/SAR-34

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 26] WEDNESDAY, JULY 17, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1312-L.— 17th July, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 29 of 1996

THE WEST BENGAL BUILDING TAX BILL, 1996.

A

BILL

to provide for the levy, collection, enforcement and recovery of building tax and for matters connected therewith or incidental thereto.

WHEREAS it is expedient to provide for the levy, collection, enforcement and recovery of building tax and for matters connected therewith or incidental thereto;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title, extent and commencement

1. (1) This Act may be called the West Bengal Building Tax Act, 1996.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint, and different dates may be appointed for different provisions of this Act.

The West Bengal Building Tax Bill, 1996.

(Clause 2.)

Definitions

2. In this Act, unless the context otherwise requires,—

(a) "annual value", in relation to any year, means—

(i) the cost of construction of a building or part thereof with fittings and fixtures, including the market value of the land or the proportionate market value of the land if such land relates to any part of a building, or

(ii) in the case where transfer of ownership or delivery of possession of any building or part thereof is made otherwise than by way of a registered instrument, the market value of such building,

excluding such amount of depreciation and cost of repair or maintenance of the building as may be prescribed.

Explanation.—"Any year" shall mean the year during which a building or part thereof is constructed or during which the ownership or possession of a building or part thereof is transferred or delivered, as the case may be;

(b) "building" means any house or structure of masonry or bricks, constructed wholly or partly, with four or more storeys including the ground floor, on any land—

(i) owned by any person, or

(ii) held by any person in his possession or control under the authority, or with the permission, of the owner of the land,

where such house or structure has been constructed on or after the 1st day of April, 1980, by a person or where such house or structure has been in occupation or possession of, or in use by, a person on or after the 1st day of April, 1980;

(c) "building tax" means the tax levied under section 4;

(d) "Bureau" means the Bureau of Investigation referred to in section 7 of the West Bengal Sales Tax Act, 1994; West Ben. Act XLIX of 1994.

(e) "owner" means any person,—

(i) who has constructed a building in his own name or in the name of any other person under the authority of such person for the purpose of transfer of the possession, or ownership, of such building or part thereof, otherwise than by way of any instrument registered under the Registration Act, 1908, and where such person does not use or occupy the building or part thereof himself, or 16 of 1908.

(ii) who is in occupation or possession of such building or part thereof, or who uses such building or part thereof, and delivery or transfer of such possession, or ownership, of such building or part thereof, has been made to him, otherwise than by a conveyance referred to in clause (10) of section 2 of the Indian Stamp Act, 1899, and registered under the Registration Act, 1908, 2 of 1899.

but does not include any person who is in possession of such building or part thereof, or who uses such building or part thereof, as a *bonafide* tenant;

(f) "period" means the period of time commencing on or after the date of coming into force of this Act during which a person continues to be the owner of a building or part thereof;

(g) "prescribed" means prescribed by rules made under this Act;

(h) "year" means the financial year.

The West Bengal Building Tax Bill, 1996.

(Clauses 3-6.)

Taxing authoritites.

3. (1) For carrying out the purposes of this Act, the State Government, by notification published in the *Official Gazette*, shall prescribe an authority (hereinafter referred to as the prescribed authority), and may appoint such officers to assist the prescribed authority and to exercise jurisdiction, powers and authority over such area or areas, as may be specified therein.

(2) Subject to such restrictions and conditions as may be prescribed, the prescribed authority may, by an order in writing, delegate any of its powers and authority under this Act, except the power under sub-section (4) of section 20, to any other officers appointed under sub-section (1) to assist it.

(3) The officers appointed under sub-section (1) to assist the prescribed authority shall exercise such powers and authority, and perform such duties, of the prescribed authority under this Act as may be delegated to them under sub-section (2).

(4) Notwithstanding anything to the contrary contained in sub-section (1), the prescribed authority may transfer any case or matter from any officer appointed under sub-section (1) to assist the prescribed authority, whether such officer has jurisdiction over the area to which the case or matter relates or not, provided such officer is otherwise competent to deal with the case or matter in exercise of the powers, or in performance of the duties, referred to in sub-section (2).

(5) The prescribed authority may transfer to, or withdraw to himself from, any officer any case or matter which any other officer appointed under sub-section (1) to assist the prescribed authority is competent to deal with in exercise of the powers and authority delegated to him under sub-section (2) or transfer from any such officer any such case or matter to any other officer appointed under sub-section (1), who is otherwise competent to deal with such case or matter under sub-section (2), to deal with such case or matter.

(6) The prescribed authority and the officers appointed under sub-section (1) shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

Liability to pay building tax.

4. Every owner within the meaning of sub-clause (i), or sub-clause (ii), as the case may be, of clause (e) of section 2 of a building or part thereof shall be liable to pay a building tax at the rate of five *per centum* of the annual value of such building or part thereof, for the period during which such person continues to be the owner of such building or part thereof.

Declaration for determination of annual value of building

5. Every owner within the meaning of sub-clause (i) or sub-clause (ii), as the case may be, of clause (e) of section 2, of a building or part thereof shall furnish a declaration in such Form, in such manner, and within such period as may be prescribed,—

(i) in the case where such building or part thereof has been constructed by him, with respect to the amount of the cost of construction of such building or part thereof including the market value of the land, if he does not use himself, or is not in occupation or possession of, such building or part thereof, or

(ii) in the case where transfer of ownership or possession of a building or part thereof has been made or delivered to him, otherwise than by a registered instrument, with respect to the market value of such building,

for determination of annual value under section 6.

Determination of annual value of building and tax payable.

6. (1) The prescribed authority shall, on receipt of the declaration referred to in section 5, or on the basis of information received by him, determine in such manner as may be prescribed the annual value of a building or part thereof and the amount of the building tax payable by the owner for the period during which he continues to be the owner of such building or part thereof, after giving him a reasonable opportunity of being heard.

The West Bengal Building Tax Bill, 1996.

(Clauses 7-11.)

(2) The prescribed authority shall, in such manner as may be prescribed, demand, by a notice, from the owner of a building or part thereof the amount of the building tax determined under sub-section (1) for the period during which such person continues to be the owner of such building or part thereof.

(3) On the service of notice upon the owner of a building or part thereof under sub-section (2), the amount of building tax, if not paid within the prescribed time, shall be a charge upon the building or part thereof of the defaulting owner and every other charge created subsequent to the service of the notice under sub-section (2) shall be postponed.

Payment of tax.

7. (1) Every owner of a building or part thereof shall make payment of the building tax by such time and after such intervals as may be prescribed into the Reserve Bank of India or a Government Treasury and a receipted challan showing the payment of such tax in respect of a period or part thereof shall be furnished to the prescribed authority in such manner as may be prescribed.

(2) If the owner fails to make payment of tax referred to in sub-section (1) within the prescribed time, such tax shall be recoverable as an arrear of land revenue.

Refund of tax

8. Where any owner proves to the satisfaction of the prescribed authority, upon application made by him within one year from the date of payment of the tax by him, that a tax in respect of the building or part thereof has been paid by him in excess of what is payable under section 6, the amount of the excess tax so paid by him shall be refunded to him in the prescribed manner.

Maintenance of records

9. (1) Every owner shall maintain and keep true and upto date records or documents in respect of the construction, its plan, and cost of construction, repair or maintenance of a building or part thereof incurred by him, or in respect of the valuable consideration for transfer of the building or part thereof to him for his occupation or use.

(2) The records or documents referred to in sub-section (1) shall at all reasonable time be open to inspection by the prescribed authority.

(3) The prescribed authority may, subject to such conditions and restrictions as may be prescribed, require any person to produce, and explain, any of the records or documents in respect of any building or part thereof.

Power to inspect building

10. The prescribed authority or any officer appointed under sub-section (1) of section 3 to assist it may, subject to such restrictions and conditions as may be prescribed and upon information received or otherwise that the owner of a building or part thereof is attempting to evade tax under this Act, enter such building or part thereof for inspection, or any place where the owner is suspected to have concealed any records or documents in respect of such building or part thereof, in order to collect material information with respect to possible annual value of such building or part thereof if such building or part thereof is liable to tax under this Act.

Power to make seizure of records

11. Where the prescribed authority or any officer appointed under sub-section (1) of section 3 has reasons to believe that a person is attempting to evade payment of tax payable in respect of any building or part thereof under this Act, such authority or officer may, after recording such reasons in writing, seize the records or documents referred to in sub-section (1) of section 9 in respect of such building or part thereof upon granting receipt for the records or documents seized:

Provided that the prescribed authority or the officer shall not retain, or authorise the retention of, any of the records or documents seized for a period exceeding six months from the date of seizure unless it or he records, in writing, the reasons therefor.

The West Bengal Building Tax Bill, 1996.

(Clauses 12- 17.)

Bureau

12. (1) The Bureau may, on information, or when the State Government or the prescribed authority so directs, carry out investigation or hold inquiry into any case of alleged or suspected evasion of tax as well as malpractices connected therewith and a report of such investigation or inquiry shall be sent to the State Government or the prescribed authority, as the case may be.

(2) The Bureau may, for the purpose of carrying out investigation or holding inquiry under sub-section (1), exercise all the powers of the prescribed authority under section 10 and section 11.

Appeal

13. (1) Any person or owner aggrieved by any order passed or action taken under this Act may, in such manner and by such time as may be prescribed, apeal to such authority as may be prescribed (hereinafter referred to as the appellate authority):

Provided that no appeal shall be entertained by the appellate authority unless it is satisfied that the appellant has paid such amount of tax as he admits to be due from him.

(2) The appellate authority may, in its discretion, pending disposal of an appeal, stay recovery of tax due from an owner on such terms and conditions as may be specified in his stay order.

Review

14. Subject to such rules as may be made by the State Government, any order passed under this Act by the prescribed authority or any officer appointed under sub-section (1) of section 3, may be reviewed by the prescribed authority or the person passing it, upon application or on its or his own motion

Suo motu revision

15. Subject to such rules as may be made by the State Government, the prescribed authority may, on its own motion, revise any order passed by any officer appointed under sub-section (1) of section 3 to assist the prescribed authority.

Power of taking evidence on oath

16. The prescribed authority or any officer appointed under sub-section (1) of section 3 shall, for the purposes of this Act, have the same powers as are vested in a court when trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters:— 5 of 1908

(a) enforcing the attendance of any person and examining him on oath and affirmation,

(b) compelling production of records or documents, and

(c) issuing commissions for the examination of any witness,

and any proceeding including inquiry or investigation under this Act before the prescribed authority or any officer appointed under sub-section (1) of section 3 to assist the prescribed authority shall be deemed to be a judicial proceeding within the meaning or section 193 and section 228, and for the purposes of section 196, of the Indian Penal Code. 45 of 1860

Power of State Government to exempt from payment of tax

17. Where the State Government is satisfied that the delivery of possession of a building or part thereof has been made to any owner by a registered instrument within one year from the date of construction or delivery of possession thereof, as the case may be, or from the date of commencement of this Act, whichever is later, or if the State Government considers it expedient in the public interest, that Government may, by notification published in the *Official Gazette*, or by a special order, exempt such class or classes of owners of such buildings or parts thereof or such class or classes of buildings or parts thereof occupied or used by such class or classes of owners, for such occupation or use of such buildings or parts thereof or for such period or periods as may be specified therein, from payment of tax under this Act.

The West Bengal Building Tax Bill, 1996.

(Clauses 18-21.)

Indemnity of Government servant

18. No suit, prosecution or other legal proceedings shall lie against any Government servant for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

Bar to proceedings in civil court

19. No order passed or action taken against any person under this Act or the rules made thereunder by the prescribed authority or any officer appointed under sub-section (1) of section 3 to assist the prescribed authority shall be called into question in any civil court and no appeal or application for revision shall lie against any order passed under this Act or the rules made thereunder in any civil court.

Offences and penalties.

20. (1) (a) Whoever fails to make payment of tax under section 7 by the date prescribed, shall be punishable with simple imprisonment for three years, or with fine not exceeding ten thousand rupees, or with both.

(b) The offence punishable under this sub-section shall be cognizable and non-bailable.

(2) Whoever—

(i) furnishes false declaration referred to in section 5, or

(ii) fails to furnish declaration referred to in section 5 within the prescribed time, or

(iii) fails to produce or explain the records or documents under section 9, or

(iv) obstructs the prescribed authority or any officer appointed under sub-section (1) of section 3 to assist the prescribed authority from entering any building for inspection under section 10,

shall be punishable with simple imprisonment which may extend to two years, or with fine not exceeding ten thousand rupees, or with both.

(3) Whoever obstructs the prescribed authority or any officer appointed under sub-section (1) of section 3 to assist it or any officer of the Bureau while making inspection under section 10 or seizure of records or documents under section 11 shall be punishable with imprisonment of either description which shall not be less than three months but which may extend to two years or with fine not exceeding ten thousand rupees or with both.

(4) Any offence punishable under sub-section (2) or sub-section (3) shall be cognizable and bailable.

(5) No court shall take cognizance of any offence under this Act or the rules made thereunder except with the previous sanction of the prescribed authority, and no court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate shall try such offence.

Power to make rules.

21. (1) The State Government may, by notification published in the *Official Gazette*, make rules prospectively or retrospectively for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which are required to be prescribed or to be provided for by rules.

STATEMENT OF OBJECTS AND REASONS.

The object of the Bill is to levy a building tax on a building—

(a) constructed wholly or partly for the purpose of transfer of ownership or possession of such building otherwise than by an instrument registered under the Registration Act, 1908, or

(b) delivery of possession or control of which is transferred to a person, otherwise than by way of a conveyance within the meaning of clause (10) of section 2 of the Indian Stamp Act, 1899, for use by him.

2. The tax sought to be levied shall be collected from a person who constructs a building or from a person to whom delivery of possession or control of a building is made for use by him, otherwise than by an instrument registered under the Registration Act, 1908. However, a *bonafide* tenant who is in possession or control of such building and uses such building shall not be liable to pay a building tax.

3. The Bill also seeks to make provisions, *inter alia*, for appointment of taxing authorities, furnishing declarations by a person liable to pay building tax for determination of annual value of a building, determination of annual value and tax payable thereon, payment of building tax, referred of building tax, search and seizure of documents and records, inspection of building, appeal, revision and review including other enforcement provisions and the provision to empower the State Government to make rules for carrying out the purposes of the Bill after enactment.

CALCUTTA,
The 17th July, 1996.

ASIM KUMAR DASGUPTA,
Member-in-charge.

FINANCIAL MEMORANDUM.

To give effect to the provisions of the Bill nominal expenditure is expected to be incurred during the year 1996-97. This, however, cannot be quantified at this stage.

CALCUTTA,
The 17th July, 1996.

ASIM KUMAR DASGUPTA,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No. WB(Part-IV)/96/SAR-32

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 28] FRIDAY, JULY 19, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1351-L.—19th July, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 30 of 1996

THE WEST BENGAL APPROPRIATION (No. 2) BILL, 1996.

A

BILL

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of West Bengal for the services and purposes of the year ending on the thirty-first day of March, 1997.

WHEREAS it is expedient to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of West Bengal for the services and purposes of the year ending on the thirty-first day of March, 1997;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title.

1. This Act may be called the West Bengal Appropriation (No. 2) Act, 1996.

The West Bengal Appropriation (No. 2) Bill, 1996

(Clauses 2, 3.)

Issue of Rs. 1,43,52,06,15,000 out of the Consolidated Fund of West Bengal for the year 1996-97

2. From and out of the Consolidated Fund of West Bengal there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate [inclusive of the sums specified in column 3 of the Schedule to the West Bengal Appropriation (Vote-on-Account) Act, 1996] to the sum of rupees fourteen thousand three hundred fifty-two crores six lakhs and fifteen thousand towards defraying the several charges which will come in course of payment during the year ending on the thirty-first day of March, 1997, in respect of the services and purposes specified in column 2 of the Schedule.

Appropriation

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of West Bengal by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the year ending on the thirty-first day of March, 1997.

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

SCHEDULE.

(*See* sections 2 and 3.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	A—General Services			
	(a) Organs of State			
1	2011—State Legislature ..	6,78,55,000	*7,50,000*	6,86,05,000
Serial 2	2012—Governor ..	..	*1,51,00,000*	1,51,00,000
3	2013—Council of Ministers ..	1,85,85,000	..	1,85,85,000
4	2014—Administration of Justice ..	51,64,35,000	*15,78,00,000*	67,42,35,000
5	2015—Elections ..	49,81,05,000	*5,000*	49,81,10,000
	(b) Fiscal Services			
	(i) Collection of Taxes on Income and Expenditure			
6	2020—Collection of Taxes on Income and Expenditure	3,36,51,000	*2,000*	3,36,53,000
	(ii) Collection of Taxes on Property and Capital Transactions			
	2029—Land Revenue ..	1,51,34,97,000	*1,00,000*	1,51,35,97,000
	Capital Expenditure Outside the Revenue Account			
7	**C—Capital Account of Economic Services**			
	(i) Capital Account of General Economic Services			
	5475—Capital Outlay on Other General Economic Services. ..	63,30,000	..	63,30,000
	Total ..	1,51,98,27,000	*1,00,000*	1,51,99,27,000
	REVENUE ACCOUNT			
	A—General Services			
	(b) Fiscal Services			
	(ii) Collection of Taxes on Property and Capital Transactions			
8	2030—Stamps and Registration ..	26,29,95,000	..	26,29,95,000
9	2035—Collection of Other Taxes on Property and Capital Transactions. ..	25,00,000	..	25,00,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(iii) Collection of Taxes on Commodities and Services			
10	2039—State Excise ..	23,51,45,000	..	23,51,45,000
11	2040—Taxes on Sales, Trade etc. ..	38,30,40,000	..	38,30,40,000
12	2041—Taxes on Vehicles ..	4,91,75,000	..	4,91,75,000
13	2045—Other Taxes and Duties on Commodities and Services. ..	11,25,35,000	..	11,25,35,000
	(iv) Other Fiscal Services			
14	2047—Other Fiscal Services ..	6,83,60,000	..	6,83,60,000
	(c) Interest Payment and Servicing of Debt			
16	2049—Interest Payments ..	35,00,000	*20,06,49,25,000*	20,06,84,25,000
	(d) Administrative Services			
Serial 17	2051—Public Service Commission ..	..	*2,96,75,000*	2,96,75,000
18	2052—Secretariat—General Services ..	34,40,15,000	..	34,40,15,000
19	2053—District Administration ..	33,25,60,000	..	33,25,60,000
20	2054—Treasury and Accounts Administration ..	24,43,00,000	..	24,43,00,000
21	2055—Police ..	5,54,03,20,000	..	5,54,03,20,000
22	2056—Jails ..	35,12,40,000	..	35,12,40,000
24	2058—Stationery and Printing ..	12,69,70,000	..	12,69,70,000
	2059—Public Works ..	1,53,08,55,000	*2,58,45,000*	1,55,67,00,000
	Public Works under Functional Heads			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
25	2205—Art and Culture (Buildings) ..	60,50,000	..	60,50,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	2216—Housing (Buildings) ..	6,50,00,000	..	6,50,00,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(h) Others			
	C—Economic Services			
	(f) Industry and Minerals			
	2853—Non-Ferrous Mining and Metallurgical Industries (Buildings). ..	9,50,000	..	9,50,000
	(j) General Economic Services			
	Capital Expenditure Outside the Revenue Account			
25	**A—Capital Account of General Services**			
	4059—Capital Outlay on Public Works ..	42,76,15,000	*8,00,000*	42,84,15,000
	Capital Outlay on Public Works under Functional Heads			
	B—Capital Account of Social Services			
	(a) Education, Sports, Art and Culture			
	4202—Capital Outlay on Education, Sports, Art and Culture (Buildings). ..	17,96,00,000	..	17,96,00,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(b) Health and Family Welfare			
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health) (Buildings). ..	33,62,00,000	..	33,62,00,000
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health) (Tribal Areas Sub-Plan) (Buildings). ..	1,08,00,000	..	1,08,00,000
	4210—Capital Outlay on Medical and Public Health (Public Health) (Buildings). ..	12,00,000	..	12,00,000
	4211—Capital Outlay on Family Welfare (Buildings)	6,00,000	..	6,00,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4216—Capital Outlay on Housing (Buildings) ..	17,58,80,000	..	17,58,80,000
	(d) Information and Broadcasting			
	4220—Capital Outlay on Information and Publicity (Buildings). ..	3,60,000	..	3,60,000
	(g) Social Welfare and Nutrition			
25	**(h) Others**			
	4250—Capital Outlay on Other Social Services (Buildings). ..	10,00,000	..	10,00,000
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4403—Capital Outlay on Animal Husbandry (Excluding Public Undertakings) (Buildings). ..	60,90,000	..	60,90,000
	4408—Capital Outlay on Food, Storage and Warehousing (Excluding Public Undertakings) (Buildings).	2,22,41,000	..	2,22,41,000
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings) (Buildings).	34,00,000	..	34,00,000
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan) (Buildings).	5,000	..	5,000
	Total ..	2,76,78,46,000	*2,66,45,000*	2,79,44,91,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	A—General Services			
	(d) Administrative Services			
26	2070—Other Administrative Services (Fire Protection and Control). ..	43,97,50,000	..	43,97,50,000
27	2070—Other Administrative Services (Excluding Fire Protection and Control). ..	85,31,25,000	..	85,31,25,000
	REVENUE ACCOUNT			
	A—General Services			
	(e) Pension and Miscellaneous General Services			
28	2071—Pensions and Other Retirement Benefits ..	5,88,92,85,000	*1,15,000*	5,88,94,00,000
29	2075—Miscellaneous General Services ..	5,91,55,000	..	5,91,55,000
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
30	2202—General Education ..	22,92,27,11,000	..	22,92,27,11,000
	2203—Technical Education ..	58,36,90,000	..	58,36,90,000
	2205—Art and Culture ..	10,19,60,000	..	10,19,60,000
	Capital Expenditure Outside the Revenue Account			
	F—Loans and Advances			
	6202—Loans for Education, Sports, Art and Culture..	5,10,000	..	5,10,000
	Total ..	23,60,88,71,000	..	23,60,88,71,000

The West Bengal Appropriation (No. 2) Bill, 1996

(Schedule)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total.
		Rs	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
31	2204—Sports and Youth Services ..	29,22,45,000	..	29,22,45,000
	(b) Health and Family Welfare			
	2210—Medical and Public Health (Excluding Public Health). ..	5,19,87,00,000	..	5,19,87,00,000
	Capital Expenditure Outside the Revenue Account			
32	**B—Capital Account of Social Services**			
	(b) Health and Family Welfare			
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health) ..	50,00,000	..	50,00,000
	Total ..	5,20,37,00,000	..	5,20,37,00,000
	REVENUE ACCOUNT			
	B—Social Services			
	(b) Health and Family Welfare			
33	2210—Medical and Public Health (Public Health) ..	85,49,60,000	..	85,49,60,000
34	2211—Family Welfare ..	77,09,77,000	..	77,09,77,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	2215—Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution). ..	1,66,65,57,000	..	1,66,65,57,000
35	**F—Loans and Advances**			
	6215—Loans for Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution). ..	1,10,50,000	..	1,10,50,000
	Total ..	1,67,76,07,000	..	1,67,76,07,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
36	2216—Housing ..	25,60,18,000	*1,02,000*	25,61,20,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4216—Capital Outlay on Housing ..	34,64,75,000	..	34,64,75,000
	F—Loans and Advances			
	6216—Loans for Housing ..	2,50,00,000	..	2,50,00,000
	Total ..	62,74,93,000	*1,02,000*	62,75,95,000
	REVENUE ACCOUNT			
	B—Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
37	2217—Urban Development ..	2,96,09,00,000	..	2,96,09,00,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4217—Capital Outlay on Urban Development ..	1,40,00,000	..	1,40,00,000
	F—Loans and Advances			
	6217—Loans for Urban Development ..	71,35,00,000	..	71,35,00,000
	Total ..	3,68,84,00,000	..	3,68,84,00,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(d) Information and Broadcasting			
38	2220—Information and Publicity ..	19,89,50,000	..	19,89,50,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	(d) Information and Publicity			
	4220—Capital Outlay on Information and Publicity ..	35,93,000	..	35,93,000
	F—Loans and Advances			
	6220—Loans for Information and Publicity ..	90,00,000	..	90,00,000
	Total ..	21,15,43,000	..	21,15,43,000
	REVENUE ACCOUNT			
	B—Social Services			
	(f) Labour and Labour Welfare			
39	2230—Labour and Employment ..	42,12,70,000	..	42,12,70,000
	(g) Social Welfare and Nutrition			
40	2235—Social Security and Welfare (Rehabilitation) ..	41,37,30,000	*1,50,00,000*	42,87,30,000
	Capital Expenditure Outside the Revenue Account			
	F—Loans and Advances			
	6235—Loans for Social Security and Welfare (Rehabilitation). ..	5,00,000	..	5,00,000
	Total ..	41,42,30,000	*1,50,00,000*	42,92,30,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
41	2202—General Education (Tribal Areas Sub-Plan) ..	7,98,40,000	..	7,98,40,000
	2204—Sports & Youth Services (Tribal Areas Sub-Plan)	20,00,000	..	20,00,000
	(b) Health and Family Welfare			
	2210—Medical and Public Health (Excluding Public Health) (Tribal Areas Sub-Plan). ..	2,53,70,000	..	2,53,70,000
	2210—Medical and Public Health (Public Health) (Tribal Areas Sub-Plan). ..	48,00,000	..	48,00,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	2215—Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution) (Tribal Areas Sub-Plan). ..	4,03,30,000	..	4,03,30,000
	(e) Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes			
	2225—Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes. ..	1,33,29,64,000	..	1,33,29,64,000
	(g) Social Welfare and Nutrition			
	2235—Social Security and Welfare (Social Welfare) (Tribal Areas Sub-Plan). ..	14,79,000	..	14,79,000
	2236—Nutrition ..	30,00,000	..	30,00,000
	2250—Other Social Services (Tribal Areas Sub-Plan). .	1,000	..	1,000
	C—Economic Services			
	(a) Agriculture and Allied Activities			
	2401—Crop Husbandry (Tribal Areas Sub-Plan) ..	1,35,00,000	..	1,35,00,000
	2402—Soil and Water Conservation (Tribal Areas Sub-Plan). ..	51,00,000	..	51,00,000
	2403—Animal Husbandry (Tribal Areas Sub-Plan) ..	1,10,80,000	..	1,10,80,000
	2405—Fisheries (Tribal Areas Sub-Plan) ..	58,20,000	..	58,20,000
	2406—Forestry and Wild Life (Tribal Areas Sub-Plan)	12,24,00,000	..	12,24,00,000
	2408—Food, Storage and Warehousing (Tribal Areas Sub-Plan). ..	1,50,000	..	1,50,000
	2425—Co-operation (Tribal Areas Sub-Plan) ..	15,26,000	..	15,26,000
	2435—Other Agricultural Programmes (Tribal Areas Sub-Plan). ..	8,00,000	..	8,00,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(b) Rural Development			
	2501—Special Programmes for Rural Development (Tribal Areas Sub-Plan). ..	7,41,25,000	..	7,41,25,000
	(c) Special Areas Programmes			
	2575—Other Special Areas Programmes (Tribal Areas Sub-Plan). ..	65,00,000	..	65,00,000
	(d) Irrigation and Flood Control			
	2702—Minor Irrigation (Tribal Areas Sub-Plan) ..	34,94,000	..	34,94,000
	(f) Industry and Minerals			
	2851—Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan). ..	88,45,000	..	88,45,000
	Capital Expenditure Outside the Revenue Account			
41	**B—Capital Account of Social Services**			
	(e) Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes			
	4225—Capital Outlay on Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes.	4,24,70,000	..	4,24,70,000
	(h) Others			
	4250—Capital Outlay of Other Social Services (Tribal Areas Sub-Plan). ..	3,000	..	3,000
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4401—Capital Outlay on Crop Husbandry (Excluding Public Undertakings) (Tribal Areas Sub-Plan).	2,00,000	..	2,00,000
	4425—Capital Outlay on Co-operation (Tribal Areas Sub-Plan). ..	27,11,000	..	27,11,000
	4435—Capital Outlay on Other Agricultural Programmes (Tribal Areas Sub-Plan). ..	10,00,000	..	10,00,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	(d) Capital Account of Irrigation and Flood Control			
	4702—Capital Outlay on Minor Irrigation (Tribal Areas Sub-Plan). ..	2,99,84,000	..	2,99,84,000
	4705—Capital Outlay on Command Area Development (Tribal Areas Sub-Plan). ..	4,50,000	..	4,50,000
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan). ..	1,63,000	..	1,63,000
	(g) Capital Account of Transport			
41	5054—Capital Outlay on Roads and Bridges (Tribal Areas Sub-Plan). ..	6,80,00,000	..	6,80,00,000
	F—Loans and Advances			
	6225—Loans for Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes.	70,00,000	..	70,00,000
	6250—Loans for Other Social Services (Tribal Areas Sub-Plan). ..	2,000	..	2,000
	6425—Loans for Co-operation (Tribal Areas Sub-Plan)	4,73,000	..	4,73,000
	6575—Loans for Other Special Areas Programmes (Excluding Public Undertakings) (Tribal Areas Sub-Plan). ..	2,00,000	..	2,00,000
	6851—Loans for Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan). ..	2,47,000	..	2,47,000
	Total ..	1,89,60,27,000	..	1,89,60,27,000
	REVENUE ACCOUNT			
	B—Social Services			
	(g) Social Welfare and Nutrition			
42	2235—Social Security and Welfare (Social Welfare). .	1,43,37,51,000	..	1,43,37,51,000
43	2236—Nutrition ..	14,14,00,000	..	14,14,00,000
44	2245—Relief on account of Natural Calamities ..	1,04,26,00,000	..	1,04,26,00,000
	(h) Others			
45	2251—Secretariat Social Services ..	13,09,10,000	..	13,09,10,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(h) Others			
46	2250—Other Social Services ..	18,32,05,000	..	18,32,05,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	4250—Capital Outlay on Other Social Services ..	3,30,47,000	..	3,30,47,000
	F—Loans and Advances			
	6250—Loans for Other Social Services ..	22,23,000	..	22,23,000
	Total ..	21,84,75,000	..	21,84,75,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
47	2401—Crop Husbandry ..	92,03,80,000	..	92,03,80,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Agriculture and Allied Activities			
	4401—Capital Outlay on Crop Husbandry (Excluding Public Undertakings). ..	56,50,000	..	56,50,000
	F—Loans and Advances			
	6401—Loans for Crop Husbandry (Excluding Public Undertakings). ..	1,00,00,000	..	1,00,00,000
	Total ..	93,60,30,000	..	93,60,30,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
48	2402—Soil and Water Conservation ..	16,72,36,000	..	16,72,36,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4402—Capital Outlay on Soil and Water Conservation	5,00,000	..	5,00,000
	Total ..	16,77,36,000	..	16,77,36,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
49	2403—Animal Husbandry ..	69,53,08,000	..	69,53,08,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4403—Capital Outlay on Animal Husbandry (Excluding Public Undertakings). ..	2,98,00,000	..	2,98,00,000
	Total ..	72,51,08,000	..	72,51,08,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
50	2404—Dairy Development ..	99,74,37,000	..	99,74,37,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4404—Capital Outlay on Dairy Development (Excluding Public Undertakings). ..	2,51,00,000	..	2,51,00,000
	Total ..	1,02,25,37,000	..	1,02,25,37,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
51	2405—Fisheries ..	40,12,90,000	..	40,12,90,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4405—Capital Outlay on Fisheries ..	2,90,00,000	..	2,90,00,000
	F—Loans and Advances			
	6405—Loans for Fisheries ..	6,08,00,000	...	6,08,00,000
	Total ..	49,10,90,000	..	49,10,90,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
52	2406—Forestry and Wild Life ..	98,40,35,000	*40,00,000*	98,80,35,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4406—Capital Outlay on Forestry and Wild Life ..	20,00,000	..	20,00,000
	Total ..	98,60,35,000	*40,00,000*	99,00,35,000
	REVENUE ACCOUNT			
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
53	4407—Capital Outlay on Plantations ..	89,00,000	..	89,00,000
	F—Loans and Advances			
	6407—Loans for Plantations ..	1,45,00,000	..	1,45,00,000
	Total ..	2,34,00,000	..	2,34,00,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
54	2408—Food, Storage and Warehousing ..	51,36,30,000	..	51,36,30,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4408—Capital Outlay on Food, Storage and Warehousing (Excluding Public Undertakings). ..	25,70,00,000	*50,000*	25,70,50,000
	Total ..	77,06,30,000	*50,000*	77,06,80,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
55	2415—Agricultural Research and Education ..	32,55,55,000	..	32,55,55,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4415—Capital Outlay on Agricultural Research and Education (Excluding Public Undertakings). ..	8,00,000	..	8,00,000
	Total ..	32,63,55,000	..	32,63,55,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
57	2425—Co-operation ..	32,07,55,000	..	32,07,55,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4425—Capital Outlay on Co-operation ..	9,05,24,000	..	9,05,24,000
	F—Loans and Advances			
	6425—Loans for Co-operation ..	5,64,66,000	..	5,64,66,000
	Total ..	46,77,45,000	..	46,77,45,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
58	2435—Other Agricultural Programmes ..	10,26,35,000	..	10,26,35,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4435—Capital Outlay on Other Agricultural Programmes	42,00,000	..	42,00,000
	Total ..	10,68,35,000	..	10,68,35,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(b) Rural Development			
59	2501—Special Programmes for Rural Development ..	47,43,75,000	..	47,43,75,000
60	2505—Rural Employment ..	3,69,53,89,000	..	3,69,53,89,000
61	2506—Land Reforms ..	17,44,75,000	..	17,44,75,000
62	2515—Other Rural Development Programmes (Panchayati Raj). ..	1,93,21,00,000	..	1,93,21,00,000
	D—Grants-in-Aid and Contributions			
	3604—Compensation and Assignments to Local Bodies and Panchayati Raj Institutions (Panchayati Raj).	10,75,00,000	*2,000*	10,75,02,000
	Capital Expenditure Outside the Revenue Account			
	F—Loans and Advances			
	6515—Loans for Other Rural Development Programmes (Panchayati Raj). ..	1,00,000	..	1,00,000
	Total ..	2,03,97,00,000	*2,000*	2,03,97,02,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(b) Rural Development			
63	2515—Other Rural Development Programmes (Community Development). ..	55,99,50,000	..	55,99,50,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(b) Capital Account of Rural Development			
	4515—Capital Outlay on Other Rural Development Programmes (Community Development). ..	66,00,000	..	66,00,000
	F—Loans and Advances			
	6515—Loans for Other Rural Development Programmes (Community Development). ..	19,00,000	..	19,00,000
	Total ..	56,84,50,000	..	56,84,50,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
64	**REVENUE ACCOUNT**			
	C—Economic Services			
	(c) Special Areas Programmes			
	2551—Hill Areas ..	99,41,39,000	..	99,41,39,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(c) Capital Account of Special Areas Programmes			
	4551—Capital Outlay on Hill Areas ..	89,00,000	..	89,00,000
	F—Loans and Advances			
	6551—Loans for Hill Areas ..	2,36,00,000	..	2,36,00,000
	Total ..	1,02,66,39,000	..	1,02,66,39,000
65	**REVENUE ACCOUNT**			
	C—Economic Services			
	(c) Special Areas Programmes			
	2575—Other Special Areas Programmes ..	52,03,60,000	..	52,03,60,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(c) Capital Account of Special Areas Programmes			
	4575—Capital Outlay on Other Special Areas Programmes. ..	20,25,00,000	..	20,25,00,000
	Total ..	72,28,60,000	..	72,28,60,000
66	**REVENUE ACCOUNT**			
	C—Economic Services			
	(d) Irrigation and Flood Control			
	2701—Major and Medium Irrigation ..	79,48,09,000	..	79,48,09,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4701—Capital Outlay on Major and Medium Irrigation ..	2,66,00,75,000	..	2,66,00,75,000
	Total ..	3,45,48,84,000	..	3,45,48,84,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
67	2702—Minor Irrigation ..	1,19,41,02,000	..	1,19,41,02,000
	2705—Command Area Development ..	2,00,00,000	..	2,00,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4702—Capital Outlay on Minor Irrigation ..	51,61,70,000	..	51,61,70,000
	4705—Capital Outlay on Command Area Development	70,50,000	..	70,50,000
	Total ..	1,73,73,22,000	..	1,73,73,22,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
68	2711—Flood Control ..	47,80,16,000	*1,00,000*	47,81,16,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4711—Capital Outlay on Flood Control Projects ..	65,75,00,000	..	65,75,00,000
	Total ..	1,13,55,16,000	*1,00,000*	1,13,56,16,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(e) Energy			
69	2801—Power ..	57,00,00,000	..	57,00,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(e) Capital Account of Energy			
	4801—Capital Outlay on Power Projects ..	2,16,00,00,000	..	2,16,00,00,000
	F—Loans and Advances			
	6801—Loans for Power Projects ..	8,98,75,00,000	..	8,98,75,00,000
	6860—Loans for Consumer Industries ..	1,00,00,000	..	1,00,00,000
	Total ..	11,72,75,00,000	..	11,72,75,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(e) Energy			
72	2810—Non-Conventional Sources of Energy ..	1,12,50,000	..	1,12,50,000
	(f) Industry and Minerals			
73	2851—Village and Small Industries (Excluding Public Undertakings). ..	83,46,77,000	..	83,46,77,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings). ..	4,14,51,000	..	4,14,51,000
	F—Loans and Advances			
	6851—Loans for Village and Small Industries (Excluding Public Undertakings). ..	16,39,18,000	..	16,39,18,000
	Total ..	1,04,00,46,000	..	1,04,00,46,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(f) Industry and Minerals			
	2852—Industries (Closed and Sick Industries) ..	74,20,000	..	74,20,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
	4858—Capital Outlay on Engineering Industries (Closed and Sick Industries). ..	50,00,000	..	50,00,000
74	4860—Capital Outlay on Consumer Industries (Closed and Sick Industries). ..	70,00,000	..	70,00,000
	4875—Capital Outlay on Other Industries (Closed and Sick Industries). ..	30,00,000	..	30,00,000
	F—Loans and Advances			
	6858—Loans for Engineering Industries (Closed and Sick Industries). ..	18,15,00,000	*30,50,000*	18,45,50,000
	6860—Loans for Consumer Industries (Closed and Sick Industries). ..	22,22,00,000	..	22,22,00,000
	Total ..	42,61,20,000	*30,50,000*	42,91,70,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(f) Industry and Minerals			
75	2852—Industries (Excluding Public Undertakings and Closed and Sick Industries). ..	38,09,45,000	..	38,09,45,000
76	2853—Non-Ferrous Mining and Metallurgical Industries	2,20,85,000	..	2,20,85,000
	(g) Transport			
77	3051—Ports and Lighthouses ..	1,45,00,000	..	1,45,00,000
78	3053—Civil Aviation ..	36,72,000	..	36,72,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(g) Transport			
79	3054—Roads and Bridges ..	90,76,85,000	..	90,76,85,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(g) Capital Account of Transport			
	5054—Capital Outlay on Roads and Bridges ..	1,40,45,00,000	..	1,40,45,00,000
	Total ..	2,31,21,85,000	..	2,31,21,85,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(g) Transport			
80	3055—Road Transport ..	1,05,70,00,000	..	1,05,70,00,000
	3056—Inland Water Transport ..	23,35,000	..	23,35,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(g) Capital Account of Transport			
	5055—Capital Outlay on Road Transport ..	2,80,00,000	..	2,80,00,000
	5056—Capital Outlay on Inland Water Transport ..	3,85,00,000	..	3,85,00,000
	F—Loans and Advances			
	7055—Loans for Road Transport ..	34,70,00,000	..	34,70,00,000
	Total ..	1,47,28,35,000	..	1,47,28,35,000
	Capital Expenditure Outside the Revenue Account			
	C—Economic Services			
	(g) Transport			
	F—Loans and Advances			
81	7075—Loans for Other Transport Services ..	22,40,00,000	..	22,40,00,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(i) Science, Technology and Environment			
82	3425—Other Scientific Research ..	4,80,000	..	4,80,000
	(j) General Economic Services			
83	3451—Secretariat—Economic Services ..	22,03,96,000	..	22,03,96,000
	3452—Tourism ..	5,79,95,000	..	5,79,95,000
	Capital Expenditure Outside the Revenue Account			
84	**C—Capital Account of Economic Services**			
	(j) Capital Account of General Economic Services			
	5452—Capital Outlay on Tourism ..	10,00,000	..	10,00,000
	Total ..	5,89,95,000	..	5,89,95,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(j) General Economic Services			
85	3454—Census, Surveys and Statistics ..	5,60,70,000	..	5,60,70,000
86	3456—Civil Supplies ..	3,93,31,000	..	3,93,31,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(j) Capital Account of General Economic Services			
	5465—Investments in General Financial and Trading Institutions. ..	7,50,000	..	7,50,000
87	**F—Loans and Advances**			
	7465—Loans for General Financial and Trading Institutions. ..	2,60,00,000	..	2,60,00,000
	Total ..	2,67,50,000	..	2,67,50,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(j) General Economic Services			
88	3475—Other General Economic Services ..	4,30,40,000	..	4,30,40,000
	B—Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
89	2215—Water Supply and Sanitation (Prevention of Air and Water Pollution). ..	13,11,00,000	..	13,11,00,000
	D—Grants-in-Aid and Contributions			
90	3604—Compensation and Assignments to Local Bodies and Panchayati Raj Institutions (Excluding Panchayati Raj). ..	2,10,51,81,000	*8,44,000*	2,10,60,25,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4408—Capital Outlay on Food, Storage and Warehousing (Public Undertakings). ..	30,00,000	..	30,00,000
	F—Loans and Advances			
92	6857—Loans for Chemical and Pharmaceutical Industries (Public Undertakings). ..	12,86,00,000	..	12,86,00,000
	6858—Loans for Engineering Industries (Public Undertakings). ..	14,75,00,000	..	14,75,00,000
	6860—Loans for Consumer Industries (Public Undertakings). ..	2,65,00,000	..	2,65,00,000
	Total ..	30,56,00,000	..	30,56,00,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
93	4856—Capital Outlay on Petrochemical Industries (Excluding Public Undertakings). ..	66,00,00,000	..	66,00,00,000
	4860—Capital Outlay on Consumer Industries (Excluding Public Undertakings). ..	1,18,00,000	..	1,18,00,000
	4885—Other Capital Outlay on Industries and Minerals (Excluding Public Undertakings). ..	23,59,00,000	..	23,59,00,000
	F—Loans and Advances			
	6885—Loans for Other Industries and Minerals (Excluding Public Undertakings). ..	4,70,00,000	..	4,70,00,000
	Total ..	95,47,00,000	..	95,47,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
94	4859—Capital Outlay on Telecommunication and Electronic Industries. ..	10,50,00,000	..	10,50,00,000
	F—Loans and Advances			
	6859—Loans for Telecommunication and Electronic Industries. ..	4,50,00,000	..	4,50,00,000
	Total ..	15,00,00,000	..	15,00,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
95	4860—Capital Outlay on Consumer Industries (Excluding Public Undertakings and Closed and Sick Industries). ..	2,75,00,000	*3,50,000*	2,78,50,000
	F—Loans and Advances			
	6857—Loans for Chemical and Pharmaceutical Industries (Excluding Public Undertakings and Closed and Sick Industries). ..	35,00,000	..	35,00,000
	6860—Loans for Consumer Industries (Excluding Public Undertakings and Closed and Sick Industries). .	18,04,00,000	..	18,04,00,000
	Total ..	21,14,00,000	*3,50,000*	21,17,50,000

The West Bengal Appropriation (No. 2) Bill, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	F—Loans and Advances			
96	6875—Loans for Other Industries (Excluding Closed and Sick Industries). ..	2,70,00,000	..	2,70,00,000
	6885—Loans for Other Industries and Minerals (Excluding Closed and Sick Industries). ..	10,20,00,000	..	10,20,00,000
	Total ..	12,90,00,000	..	12,90,00,000
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
97	4885—Other Capital Outlay on Industry and Minerals (Excluding Public Undertakings and Closed and Sick Industries). ..	1,33,50,000	..	1,33,50,000
	E—Public Debt			
Serial 98	6003—Internal Debt of the State Government ..	..	*12,23,58,00,000*	12,23,58,00,000
	6004—Loans and Advances from Central Government	..	*3,85,53,25,000*	3,85,53,25,000
	Total ..	..	*16,09,11,25,000*	*16,09,11,25,000*
	F—Loans and Advances			
99	7610—Loans to Government Servants etc. ..	60,00,00,000	..	60,00,00,000
	7615—Miscellaneous Loans ..	2,25,00,000	..	2,25,00,000
	Total ..	62,25,00,000	..	62,25,00,000
	Grand Total ..	**1,07,11,08,75,000**	***36,40,97,40,000***	**1,43,52,06,15,000**

STATEMENT OF OBJECTS AND REASONS.

The object of the Bill is to provide for the appropriation out of the Consolidated Fund of West Bengal of all moneys required for the year 1996-97 to meet—

(a) the grants made by the Assembly, and
(b) the expenditure charged on the Consolidated Fund of West Bengal, but not exceeding, in any case, the amount shown in the Annual Financial Statement previously laid before the House.

2. Under the Constitution of India no money can be withdrawn from the Consolidated Fund of West Bengal except in accordance with an appropriation made by law.

CALCUTTA,
The 19th July, 1996.

ASIM KUMAR DASGUPTA,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-IV)/96/SAR-33**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 28] FRIDAY, JULY 19, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1358-L.—19th July, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Calcutta Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 31 of 1996

THE WEST BENGAL PREMISES TENANCY BILL, 1996.

A

BILL

to provide for the regulation of certain incidents of tenancy of premises in Calcutta, Howrah and some other areas in West Bengal.

WHEREAS it is expedient to provide for the regulation of certain incidents of tenancy of premises in Calcutta, Howrah and some other areas in West Bengal;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

CHAPTER I

Preliminary

Short title, commencement and extent.

1. (1) This Act may be called the West Bengal Premises Tenancy Act, 1996.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter I.—Preliminary.—Clauses 2, 3.)

(2) It shall come into force on such date as the State Government may, by notification, appoint.

(3) It extends to the areas included within the limits of the Calcutta Municipal Corporation and the Howrah Municipal Corporation and to the municipal areas within the meaning of the West Bengal Municipal Act, 1993: West Ben. Act XXII of 1993.

Provided that the State Government may, by notification, extend this Act or any provision thereof to any other area specified in the notification, or may, by notification, exclude any area from the operation of this Act or any provision thereof.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) "Controller" means a Controller appointed under sub-section (1) of section 38, and includes an Additional Controller or Deputy Controller appointed under sub-section (2) of that section;

(b) "fair rent" means the rent fixed under section 17;

(c) "landlord" means any person who, for the time being, is receiving, or is entitled to receive, the rent for any premises, whether on his own account or on account of, or on behalf of, or for the benefit of, any other person or as a trustee, guardian or receiver for any other person or who would so receive the rent or be entitled to receive the rent, if the premises were let to a tenant;

(d) "notification" means a notification published in the *Official Gazette*;

(e) "premises" means any building or part of a building or any hut or part of a hut let separately, and includes—

(i) the gardens, grounds and out-houses, if any, appertaining thereto, and

(ii) any furniture supplied by the landlord, or any fittings or fixtures affixed, for the use of the tenant in such building or part of a building or hut or part of a hut,

but does not include a room in a hotel or a lodging house;

(f) "prescribed" means prescribed by rules made under this Act;

(g) "tenant" means any person by whom or on whose account or behalf the rent of any premises is or, but for a special contract, would be payable, and includes any person continuing in possession after termination of his tenancy and, in the event of death of any tenant, such of his direct legal heirs including spouse, parents, children, daughter-in-law of deceased son as were ordinarily living with him upto the date of his death and who do not own a house, but shall not include any person against whom any decree or order for eviction has been made by a court of competent jurisdiction.

Exemption

3. Nothing contained in this Act shall apply to—

(a) any premises owned by—

(i) the Central Government, or

(ii) any State Government, or

(iii) a Government undertaking or enterprise, or

(iv) a statutory body which is not a local authority, or

(v) a Cantonment Board constituted under the Cantonments Act, 1924, or 2 of 1924.

(vi) a local authority;

(b) any tenancy created by the Central Government or any State Government in respect of the premises taken on lease or requisitioned by that Government;

(c) any premises the construction of which is completed after the commencement of this Act, for a period of ten years from the date of such completion:

Provided that when such premises is let out for residential purpose only, the provision relating to the protection of tenancy shall apply to such tenancy;

(d) any tenancy where the lease extends beyond twenty years;

The West Bengal Premises Tenancy Bill, 1996.

Chapter II.—Obligation of landlord and tenant.—Clauses 4, 5.)

(e) any premises rented to a foreign mission or international agency;

(f) any premises used for residential purpose and carries more than—

(i) three thousand rupees as monthly rent in the areas included within the limits of the Calcutta Municipal Corporation or the Howrah Municipal Corporation, or

(ii) two thousand rupees as monthly rent in other areas to which this Act extends;

(g) any premises used for non-residential purpose and carries more than—

(i) one thousand and five hundred rupees as monthly rent in the areas included within the limits of the Calcutta Municipal Corporation or the Howrah Municipal Corporation, or

(ii) one thousand rupees as monthly rent in other areas to which this Act extends.

Explanation.—Where any premises is used partly for residential purpose and partly for non-residential purpose, the provisions of clause (g) shall apply to such premises irrespective of the proportion of the premises used for residential purpose.

CHAPTER II

Obligation of landlord and tenant

Obligations of landlord

4. (1) Every landlord or his authorised agent shall issue a written receipt in the prescribed form signed by him forthwith on receipt of the amount of rent from the tenant.

(2) Every landlord shall be bound to keep the premises in good and tenantable condition.

(3) Every landlord shall be bound to take measures for due maintenance of essential supply or service comprised in the tenancy.

(4) No landlord shall claim, demand or receive any premium or other consideration whatsoever for giving his consent to the subletting of whole or any part of the premises held by the tenant.

Obligations of tenants

5. (1) Every tenant shall pay rent to the landlord or his authorised agent within the prescribed period.

(2) Every tenant shall use the premises for the purpose for which it was let out to him.

(3) Every tenant shall allow the landlord or his authorised agent to enter upon the premises and inspect the condition thereof after the service of a notice on him by the landlord or his authorised agent in this behalf.

(4) No tenant shall make any addition to or alteration in the premises without the written consent of the landlord.

(5) No tenant shall sublet the premises without consent of the landlord in writing.

(6) No tenant shall, without the previous consent in writing of the landlord, transfer or assign his right in the tenancy or any part thereof.

(7) Every tenant shall pay the charges relating to the maintenance and amenities of the premises at the rate of ten *per cent* of the fair rent or agreed rent, as the case may be, and shall also pay the proportionate municipal tax in addition to such rent within the prescribed period.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter III.—Control of eviction of tenants.—Clause 6.)

CHAPTER III

Control of eviction of tenants

Protection of tenant against eviction

6. (1) Notwithstanding anything to the contrary contained in any other law for the time being in force or in any contract, no order or decree for the recovery of the possession of any premises shall be made by the Controller in favour of the landlord against a tenant:

Provided that the Controller may, on an application made to him by the landlord in the prescribed manner, make an order for the recovery of possession of the premises to the landlord on one or more of the following grounds:—

(a) where the tenant has sublet, assigned or otherwise parted with the possession of whole or any part of the premises without obtaining the consent in writing of the landlord or the tenant has used the premises for a purpose other than that for which it was let out without obtaining the consent in writing of the landlord;

(b) where the tenant has made default in payment of rent for three months within a period of twelve months, or for three rental periods within a period of three years where the rent is not payable monthly;

(c) where the premises is reasonably required by the landlord for the purpose of building or rebuilding or for making substantial addition or alteration thereto and such building or rebuilding or substantial addition or alteration cannot be carried out without the premises being vacated;

(d) where the premises is reasonably required by the landlord for his own occupation if he is the owner or for the occupation of any person for whose benefit the premises is held and the landlord or such person is not in possession of any reasonably suitable accommodation within the same Municipal Corporation or Municipality or within ten kilometres from such premises in any other area where this Act extends;

(e) where the tenant has given notice to quit but has failed to deliver vacant possession of the premises to the landlord in accordance with such notice;

(f) where the tenant or any person residing in the premises let out to the tenant has done any act contrary to the provisions of clause (m), clause (n) or clause (o) of section 108 of the Transfer of Property Act, 1882; 4 of 1882.

(g) where the tenant has been using the premises or any part thereof or allowing the premises or any part thereof to be used for immoral or illegal purpose;

(h) where the tenant is guilty of any act of waste or of any negligence or default resulting in material deterioration of the condition of the premises;

(i) where the tenant or any person residing in the premises let out to the tenant has been guilty of conduct which is a nuisance or causes annoyance to the neighbours including the landlord;

(j) where the tenant has acquired or constructed, or has been allotted, a house or flat, provided a moratarium for one year is allowed for vacating the premises;

(k) where the landlord is a member of the Armed Forces of the Union of India and requires it for occupation of his family and produces a certificate of the prescribed authority referred to in section 7 of the Indian Soldiers (Litigation) Act, 1925, that he is serving under special conditions within the meaning of section 3 of that Act or is posted in a non-family area. 4 of 1925.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter III.—Control of eviction of tenants.—Clause 7.)

(2) Where a landlord has acquired his interest in the premises by transfer, no proceeding for the recovery of possession of the premises on the ground of reasonable requirement for building or rebuilding or addition or alteration or reasonable requirement for own occupation shall be instituted by the landlord before the expiration of a period of three years from the date of acquisition of such interest:

Provided that a proceeding for the recovery of possession of the premises may be instituted on the ground of reasonable requirement for building or rebuilding or addition or alteration before the expiration of the said period of three years if the Controller, on the application of the landlord and after giving the tenant an opportunity of being heard, permits by order the institution of the proceeding on the ground that the building or rebuilding or the addition or alteration, as the case may be, is necessary to make the premises safe for human habitation.

(3) Where the landlord requires the premises on the ground of building or rebuilding or addition or alteration or for his own occupation and the Controller is of the opinion that such requirement may be substantially satisfied by ejecting the tenant or a sub-tenant from a part of the premises and allowing the tenant or the sub-tenant to continue in occupation of the rest of the premises, then, if the tenant or the sub-tenant agrees to such occupation, the Controller shall pass a decree accordingly and fix the proportionate rent for the portion remaining in the occupation of the tenant or the sub-tenant. The rent so fixed shall be deemed to be the fair rent for the purposes of this Act. If the tenant does not agree, but the sub-tenant agrees, to such occupation, no decree or order for ejectment shall be passed against the sub-tenant who shall become, with effect from the date of the decree or order, a tenant directly holding under the landlord.

(4) Notwithstanding anything in any other law for the time being in force, no proceeding for the recovery of possession of any premises on any of the grounds as aforesaid, except on the ground mentioned in clause (e) of sub-section (1), shall be instituted by the landlord unless he has given to the tenant one month's notice expiring with a month of the tenancy.

When a tenant can get the benefit of protection against eviction.

7. (1) (a) On a proceeding being instituted by the landlord for eviction on any of the grounds referred to in section 6, the tenant shall, subject to the provisions of sub-section (2) of this section, pay to the landlord all arrears of rent, calculated at the rate at which it was last paid and upto the end of the month previous to that in which the payment is made together with interest at the rate of ten *per cent per annum.*

(b) Such payment shall be made within one month of the service of summons on the tenant or, where he appears in the proceeding without the summons being served upon him, within one month of his appearance.

(c) The tenant shall thereafter continue to pay month by month by the 15th of each succeeding month, a sum equivalent to the rent at that rate.

(2) If in any proceeding referred to in sub-section (1), there is any dispute as to the amount of the rent payable by the tenant, the tenant shall, within the time specified in that sub-section, deposit with the Controller the amount admitted by him to be due from him together with an application for determination of the rent payable. No such deposit shall be accepted unless it is accompanied by an application for determination of the rent payable. On receipt of the application, the Controller shall, having regard to the rate at which rent was last paid and the period for which default may have been made by the tenant, make, as soon as possible within a period not exceeding one year, an order specifying the amount, if any, due from the tenant and, thereupon, the tenant shall, within one month of the date of such order, pay to the landlord the amount so specified in the order:

Provided that having regard to the circumstances of the case, an extension of time may be granted by the Controller only once and the period of such extension shall not exceed two months.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter IV.—Recovery of immediate possession.—Clauses 8, 9.)

(3) If the tenant fails to pay any amount referred to in sub-section (2) within the time specified therein or within such extended time as may be granted, the Controller shall order the defence against delivery of possession to be struck out and shall proceed with the hearing of the proceeding.

(4) If the tenant makes payment under the provisions of sub-section (2), no order for delivery of possession of the premises to the landlord on the ground of default in payment of rent by the tenant, shall be made by the Controller, but he may allow such cost as he may deem fit to the landlord:

Provided that the tenant shall not be entitled to any relief under this sub-section if, having obtained such relief once in respect of the premises, he again makes default in payment of rent for three months within a year or for three successive rental periods where rent is not payable monthly.

CHAPTER IV

Recovery of immediate possession

Chapter IV to have overriding effect.

8. The provisions of this Chapter or the rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained elsewhere in this Act or in any other law for the time being in force.

Right to recover immediate possession

9. (1) Notwithstanding anything contained elsewhere in this Act or any other law for the time being in force or in any contract to the contrary, the right to recover immediate possession of any premises let out shall accrue to the landlord who—

(a) is a Government employee or retired Government employee,

(b) is in occupation of any residential premises allotted to him by his employer,

(c) is required by, or in pursuance of, an order made by his employer to vacate such residential accommodation or, in default, to incur certain obligations on the ground that he owns a residential accommodation either in his own name or in the name of his wife or dependent child at or near the place of posting, and

(d) has resonable requirement of the premises for his own occupation.

(2) Where the landlord is a released or retired person from the Army, Navy or Air Force or will retire within a period of less than one year as a member of the Army, Navy or Air Force and the premises let out by him are required for his own occupation or where the landlord is the parent or wife of a member of the Army, Navy or Air Force who dies while in service or within five years of retirement and the premises let out by such member are required for the occupation of the family of such member, the landlord may apply to the Controller for recovery of immediate possession of such premises.

(3) Whenever any application is filed before the Controller by a landlord under sub-section (1) or sub-section (2), the Controller shall issue summons in the form specified in Schedule I, provided that—

(a) where the landlord has retired or will retire within a period of less than one year as a member of the Army, Navy or Air Force, a certificate by the Area or Sub-Area Commander within whose jurisdiction the premises is situated or by the head of his service or by his Commanding Officer that he retired or will retire as such member and that he requires the premises for his own occupation or for the occupation of his family after retirement, or

(b) where the landlord is the parent or wife of such member of the Army, Navy or Air Force, a certificate by the Area or Sub-Area Commander within whose jurisdiction the premises is situated or the Area or Sub-

The West Bengal Premises Tenancy Bill, 1996.

(Chapter IV.—Recovery of immediate possession.—Clause 9.)

Area Commander under whom such member serves that he or she is the parent or wife, as the case may be, of such member of the Army, Navy or Air Force, and that he or she requires the premises for his or her occupation or for the occupation of his or her family after the retirement of such member,

shall be produced before the Controller while filing the application.

Explanation.—For the purposes of this sub-section, Area or Sub-Area Commander shall include (a) in the case of persons retired from the Navy, Flag Officer Commanding and Chief of Naval Command and (b) in the case of persons retired from the Air Force, the Air Force Station Commander.

(4) In addition to, and simultaneously with, the issue of summons for service on the tenant and the sub-tenant, if any, the Controller shall also direct the summons to be served by registered post with acknowledgement due, duly addressed to the tenant and the sub-tenant or their agents empowered to accept the service at the place where the tenant and the sub-tenant or their agents actually and voluntarily reside or carry on business or personally work for gain and may, if the circumstances of the case so require, also direct the publication of the summons in a newspaper circulating in the locality in which the tenant and the sub-tenant are last known to have resided or carried on business or personally worked for gain.

(5) When acknowledgement purporting to be signed by the tenant and the sub-tenant or their agents is received by the Controller or the registered article containing the summons is received back with endorsement purporting to have been made by a postal employee to the effect that the tenant and the sub-tenant or their agents refused to take delivery of the registered article, the Controller may declare that there has been valid service of the summons.

(6) The tenant and the sub-tenant on whom the summons is duly served, shall not contest the prayer for eviction from the premises unless they file an affidavit within fifteen days of service of summons stating the ground on which they seek to contest the application for eviction and obtain leave from the Controller and, in default of their appearance in pursuance of the summons or their obtaining such leave, the statement made by the landlord in the application for eviction shall be deemed to be admitted by the tenant and the sub-tenant and the applicant shall be entitled to an order for eviction on the basis of the statement as aforesaid.

(7) The Controller shall, within fifteen days from the date of filling of the affidavit by the tenant or the sub-tenant, as the case may be, grant to the tenant or the sub-tenant leave to contest the application if the affidavit filed by the tenant or the sub-tenant discloses such facts as would disentitle the landlord from obtaining an order for recovery of possession of the premises on the ground specified in clause (d) of sub-section (1) of section 6.

(8) Where leave is granted to the tenant or the sub-tenant to contest the application, the Controller shall commence hearing of the application on a date not later than one month from the date of grant of the leave as aforesaid and shall conclude the hearing and give his decision within three months from the date of commencement of hearing as far as practicable.

(9) Where the Controller decides at the conclusion of the hearing that the tenant or the sub-tenant of any premises shall put the landlord in possession of the said premises, he shall direct the tenant or the sub-tenant, as the case may be, to put the said landlord in possession of the said premises within such period, not exceeding six months from the date of decision, as he thinks reasonable.

(10) The Controller shall, while holding an inquiry in a proceeding, follow the practice and procedure of a Court of Small Causes including the recording of evidence. An order passed by the Controller shall be executed in such manner as may be prescribed.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter V.—Restoration of possession and compensation.—Clause 10.)

(11) The provisions of sub-section (3) and sub-section (4) of section 6 shall, as far as possible, be applied to a proceeding under this Chapter but nothing contained in sub-section (2) of section 6 shall apply to such proceeding.

(12) No appeal or second appeal shall lie against an order for the recovery of possession of any premises made by the Controller in accordance with the provisions of this section, provided the High Court or the Rent Tribunal, as the case may be, may, for the purpose of satisfying itself that an order made by the Controller under this section is according to law, call for the case and pass such order in respect thereto as it thinks fit.

(13) Where no application has been made to the High Court or the Rent Tribunal for revision, the Controller may exercise the power of review in accordance with the provisions of order XLVII of the First Schedule to the Code of Civil Procedure, 1908. 5 of 1908.

(14) An order passed by the Controller shall be executed in such manner as may be prescribed.

CHAPTER V

Restoration of possession and compensation

When a tenant is entitled to restoration and compensation

10. (1) Where the landlord obtains delivery of possession of any premises from the tenant in pursuance of a decree obtained under clause (c) or clause (d) of sub-section (1) of section 6 and the building or rebuilding or addition or alteration is not commenced or the premises is not occupied by the landlord or any person for whose benefit the premises is held, as the case may be, within six months of the date of vacation of the premises by such tenant, or the premises having been so occupied by the landlord or any person for whose benefit the premises is held, is re-let within five years of the date of such occupation to any person other than such tenant without the permission of the Controller obtained in the prescribed manner, the Controller may, on the application of such tenant made within nine months of his vacating the premises or, where the premises has been re-let within five years, within twelve months of such re-letting and, after giving the landlord an opportunity of being heard, by order direct the landlord to put such tenant in possession of the premises, if not re-let, within fourteen days of the date of the order or to pay him such compensation as may be deemed adequate by the Controller in case the premises has been re-let.

(2) If upon an order under sub-section (1),—

(a) the landlord fails or neglects to deliver possession of the premises to the tenant within the time specified, then, the Controller shall execute the order and put the tenant in possession of the premises and, in that event, the tenant shall be liable to pay fair rent in respect of the premises from the date of taking delivery of such possession;

(b) the tenant fails or neglects to take possession of the premises, then, the order made by the Controller under sub-section (1) shall stand vacated and the tenant shall be liable to pay the landlord by way of compensation a sum equivalent to the fair rent of the premises calculated from the date of his application under sub-section (1) up to the date on which the tenant should have taken delivery of possession and such costs of the proceedings as may be assessed by the Controller, and the Controller shall make an order accordingly.

(3) Without prejudice to the provisions of sub-section (1), where the landlord obtaining delivery of possession of any premises from the tenant in pursuance of a decree made on the ground mentioned in clause (a) of sub-section (1) of section 6 was, at the time of obtaining such delivery of possession, in occupation of some other premises as owner thereof, he shall not, within five years from the date of his obtaining such delivery of possession, let such other premises to any person other than the tenant

The West Bengal Premises Tenancy Bill, 1996.

(Chapter V.—Restoration of possession and compensation.—Clauses 11, 12.—Chapter VI.—Provision regarding rent.—Clause 13.)

from whom such delivery of possession had been obtained, except with the permission of the Controller obtained in the prescribed manner and, in case the landlord lets such other premises to any person other than such tenant in contravention of the provisions of this sub-section, the Controller may, on the application of such tenant made within six months of such letting and after giving the landlord an opportunity of being heard, by order, direct the landlord to pay to such tenant such compensation as may be deemed adequate by the Controller in the circumstances of the case.

Restoration of tenancy where decree for recovery of possession is passed under clause (c) of sub-section (1) of section 6

11. (1) Where the Controller passes a decree for the recovery of possession of any premises on the ground mentioned in clause (c) of sub-section (1) of section 6, he shall specify the period within which the building or rebuilding of, or addition to, or alteration of, such premises shall be completed and may, on the application of the landlord, extend such period from time to time for good and sufficient reasons, provided the aggregate of such periods shall not exceed two years.

(2) On the completion of building or rebuilding of, or addition to, or alteration of, such premises, the Controller may, on the application of the tenant, who has been evicted from such premises, made within three months of the date of such completion and after giving the landlord an opportunity of being heard, by order direct the landlord to deliver to such tenant possession of such premises or such part thereof as the Controller may specify in his order within fourteen days of the date of the order.

(3) If upon an order under sub-section (2), the landlord fails or neglects to deliver possession of such premises or such part thereof as is specified in the order to the tenant within the time specified, then, the Controller shall execute the order and put the tenant in possession of such premises or such part thereof.

(4) The tenant shall be liable to pay fair rent in respect of such premises or such part thereof from the date of delivery of such possession under sub-section (2) or sub-section (3), as the case may be.

Provisions regarding notice of giving up possession by tenants under contracts.

12. (1) Every tenant, who is in possession of any premises to which this Act applies, shall observe all the terms and conditions of the contract creating the tenancy and shall be entitled to the benefits thereof so far as such terms and conditions are consistent with the provisions of this Act.

(2) Notwithstanding anything in any other law for the time being in force, a tenant may give up possession of the premises on giving such notice as is required under the contract creating the tenancy. In the absence of any provision in the contract relating to notice or when there is no contract, the tenant may give up possession of the premises on giving not less than one month's notice expiring with a month of the tenancy.

CHAPTER VI

Provision regarding rent

Rent in excess of fair rent not chargable

13. (1) (a) No tenant shall, notwithstanidng any agreement to the contrary, be liable to pay to the landlord for the occupation of any premises any amount in excess of fair rent of the premises, unless such amount is lawful increase of the fair rent in accordance with the provision of this Act.

(b) Subject to the provisions of clause (a), any agreement for payment of rent in excess of fair rent shall be construed as an agreement for the payment of fair rent only.

(2) Fair rent shall be paid within the time fixed by the contract or, in the absence of any such contract, by the fifteenth day of the next month following the month for which it is payable, provided the tenant may pay the rent payable for any month at any time during such month before it falls due.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter VI.—Provision regarding rent.—Clauses 14-17.)

Restriction on claim, demand or receipt of premium or other consideration

14. (1) No person shall, in consideration of the grant, renewal or continuance of a tenancy of any premises,—

(a) claim, demand or receive any sum as premium, or claim, demand or receive any consideration whatsoever, in cash or in kind in addition to rent;

(b) except with the previous permission of the Controller, claim, demand, or receive the payment of, any sum exceeding one month's rent of such premises as rent in advance.

(2) It shall not be lawful for the tenant or any other person acting on behalf of the tenant to claim or receive any payment in consideration of the relinquishment, transfer or assignment of his tenancy, as the case may be, of any premises.

Restriction on the sale of furniture in any premises let to a tenant

15. (1) No landlord shall make the purchase by any person of any furniture in any premises a condition for the grant, renewal or continuance of the tenancy of such premises.

(2) No person shall publish, or cause to be published, in any newspaper or otherwise any advertisement—

(a) for the purchase by any person of any furniture, or

(b) for the payment of any sum exceeding one month's rent in advance,

except with the previous permission of the Controller, as a condition for the letting of any premises.

Refund of rent, premium, etc not chargeable under this Act

16. Where any sum or other consideration has been paid by or on behalf of the tenant to a landlord in contravention of any of the provisions of this Act, the Controller may, on application made to him within a period of six months from the date of such payment, by order, direct the landlord to refund such sum or the value of such consideration to the tenant or to adjust such sum or the value of such consideration against the rent payable by the tenant.

Fixation of fair rent.

17. (1) The Controller shall, on application made to him either by the landlord or by the tenant in the prescribed manner, fix the fair rent in respect of any permises in accordance with the provisions of this Act.

(2) The fair rent for a year in respect of any premises constructed and let out after the year 1984, shall be fixed on the basis of seven and half *per cent* of cost of construction of the premises and the market value of the land at the time of commencement of the construction:

Provided that the fair rent so fixed shall be increased by five *per cent per annum* from the year of construction to the current year to arrive at the fair rent for a given year before the year of commencement of this Act.

Explanation.—The cost of construction of a premises shall include the cost of water supply and sanitary and electric installation and shall be determined with due regard to the rates adopted for the purpose of estimate by the Public Works Department of the State Government for the area concerned. The Controller may allow or disallow the variation of estimates upto ten *per cent,* having regard to the nature of the premises:

Provided that while calculating the market value of the site on which the premises was constructed, the Controller shall take into account only the portion of the site on which the premises was constructed and sixty *per cent* of the portion of the vacant land, if any, appurtenant to such premises, the excess portion of the vacant land being treated as amenity.

(3) Where the rent was not increased for a consecutive period of twenty years or more, the fair rent shall be determined by adding to the existing rent not more than three times in the manner provided in Schedule II.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter VI.—Provision regarding rent.—Clauses 18-21.)

(4) Where the rent was not increased for a consecutive period of more than ten years but less than twenty years, the fair rent shall be determined by adding to the existing rent not more than two times in the manner provided in Schedule III.

(5) Where the rent of any premises has been fixed, whether by way of revision of the rent previously fixed or not, under the provisions of the West Bengal Premises Tenancy Act, 1956, three years immediately before the commencement of this Act, the rent so fixed shall be the fair rent under this Act.

West Ben Act XII of 1956.

(6) Where at the commencement of this Act, any proceeding is pending for fixation of the fair rent of such premises under the West Bengal Premises Tenancy Act, 1956, the rent fixed under the said proceeding shall be the fair rent under this Act.

(7) Where none of the foregoing provisions of this section apply to any premises, the fair rent shall be such as would be reasonable, having regard to the situation, locality and condition of the premises and the amenities provided therein and, where there are similar or nearly similar premises in the locality, having regard also to the rent payable in respect of such premises.

Revision of fair rent

18. The fair rent initially fixed shall be automatically increased by five *per cent per annum*:

Provided that the State Government may issue notification varrying such rate of increase every four years from the date of commencement of this Act.

When fair rent fixed by the Controller takes effect.

19. When in fixing the fair rent or revising the fair rent, the rent which was being paid at the time of application is—

(a) decreased by the Controller, the rent so fixed shall be payable from the month of tenancy next after the date of application, and the excess amount paid, if any, shall be recoverable by instalment or otherwise as the Controller may, by order, direct;

(b) increased by the Controller, the rent so fixed shall be payable from the month of tenancy next after the date of application, and the additional amount payable on account of the increase upto and including the month of tenancy immediately preceding the month in which the order is passed, shall be recoverable by the landlord by such instalments or otherwise as the Controller may, by order, direct.

Notice of increase of rent

20. Where a landlord intends to increase the rent of any premises, he shall give to the tenant the notice of his intention so to do in so far as such increase is permissible under this Act; the increase of rent shall be due and recoverable from the month or period of tenancy next after the expiry of thirty days from the date on which the notice is given.

Deposit of rent by tenant

21. (1) Where the landlord does not accept any rent tendered by the tenant within the prescribed period, the tenant shall remit the rent to the landlord by postal money order within fifteen days of such refusal.

(2) Where any tenant remits rent to the landlord by postal money order within the prescribed period and it is returned to the tenant by the postal authority as undelivered, either on account of the landlord having refused to accept the payment thereof or for any other reason, the tenant may deposit such rent with the Controller within fifteen days from the date on which it is so returned to the tenant.

(3) Where there is a bona fide doubt as to the person or persons to whom rent is payable, the tenant may deposit such rent with the Controller in the prescribed manner.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter VI.—Provision regarding rent.—Clause 22.)

(4) The deposit shall be accompanied by an application supported by an affidavit by the tenant stating—

(a) the premises for which the rent is to be deposited and description of the premises sufficient for identifying the same;

(b) the period for which the rent is to be deposited;

(c) the name and address of the landlord or the person or persons claiming to be entitled to such rent;

(d) the reasons for, and the circumstances of, application for deposit of the rent.

(5) The tenant shall also produce for scrutiny by the Controller the last rent receipt and money order form returned by the postal authority. In the case of deposit of rent for successive months during any continuous period, no affidavit in support of the application shall be required after the first deposit, if the reasons and the circumstances which led the tenant to make the first deposit remain the same.

(6) The application shall be accompanied by as many true copies thereof as there are landlords or persons claiming the rent along with the prescribed fee for sending such copy or copies to the landlords or such persons under certificate of posting.

(7) On such deposit of the rent, the Controller shall send in the prescribed manner the copy or copies of the application to the landlords or persons claiming to be entitled to the rent with an endorsement showing the date of deposit, such endorsement being authenticated by the seal of the office, and the signature, of the Controller or some other officer authorised by him in this behalf. Such authenticated copy of the application shall be admissible in evidence in any court.

(8) Where rent for any month has been deposited on the ground that postal money order was returned, then the tenant may, without further tender of rent by postal money order to the landlord, continue to deposit the rent with the Controller for subsequent months or periods unless the landlord signifies by notice in writing to the tenant his willingness to accept the rent if tendered to him within the prescribed period.

The time limit for making deposit and consequence of incorrect particulars in application for deposit.

22. (1) No rent deposited with the Controller shall be considered to have been validly deposited under section 21 unless deposited within fifteen days of the time fixed by any contract in writing for payment of the rent or, in the absence of any such contract in writing, unless deposited within the last day of the month following the month for which rent was payable, provided where any rent remitted to the landlord by postal money order within the prescribed period is returned to the tenant by the postal authority as undelivered or on account of the landlord having refused to accept the rent or for any other reason, such rent may also be validly deposited within fifteen days from the date on which it is so returned to the tenant.

(2) No deposit of rent shall be considered to have been validly made for the purpose of section 22, if the tenant wilfully or negligently makes any false statement in his application for depositing the rent unless the landlord has withdrawn, or makes an application in the prescribed form to withdraw, the amount deposited before the date of institution of proceeding for the recovery of possession of the premises from the tenant.

(3) If the rent is deposited in accordance with the provisions of sub-section (1) and does not cease to be a valid deposit under that sub-section, the deposit shall constitute the payment of rent to the landlord as if the amount deposited has been a valid legal tender of rent to the landlord on the date fixed by contract for payment of the rent when there is such a contract or, in the absence of any contract, on the fifteenth day of the month next following the month for which the rent is payable.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter VI.—Provision regarding rent.—Clauses 23-25.—Chapter VII.—Sub-tenancies.—Clause 26.)

Payment of rent.

23. If an application is made in the prescribed manner for the withdrawal of any deposit of rent, the Controller shall, if he is satisfied that the applicant is the person entitled to receive the rent deposited, by order, direct the payment of the amount of the rent to him:

Provided that no such order for payment of any deposit of rent shall be made by the Controller without giving all perosns named by the tenant in his application for deposit of rent as claiming to be entitled to the payment of such rent, an opportunity of being heard, and such order shall be without prejudice to the right of such person to receive such rent being decided by a court of competent jurisdiction.

Savings as to acceptance of rent.

24. The withdrawal of rent deposited in the prescribed manner shall not operate as an admission against the person withdrawing it of the correctness of the rent or the rate thereof, the period of default, the amount due or any other fact stated in the application of the tenant for depositing the rent under sub-section (1) of section 22, nor shall it operate as a waiver of any notice to quit given by him to the tenant.

Where there shall be a waiver of default.

25. Where there is no proceeding pending for the recovery of possession of the premises, the aceptance of rent in respect of the period of default in payment of the rent by the landlord from the tenant shall operate as a waiver of such default.

CHAPTER VII

Sub-tenancies

Creation and termination of sub-tenancy to be notified.

26. (1) Where after the commencement of this Act, any premises is sublet, either in whole or in part, by the tenant with the previous consent in writing of the landlord, the tenant and every sub-tenant to whom the premises is sublet, shall give notice to the landlord in the prescribed manner of the creation of the sub-tenancy within one month from the date of such subletting and shall, in the prescribed manner, notify the termination of such sub-tenancy within one month of such termination.

(2) Where before the commencement of this Act, the tenant has, with or without the consent of the landlord, sublet any premises either in whole or in part, the tenant and every sub-tenant to whom the premises has been sublet, shall give notice to the landlord of such subletting in the prescribed manner within six months of the commencement of this Act and shall, in the prescribed manner, notify the termination of such sub-tenancy within one month of such termination.

(3) Where in any case referred to in sub-section (2), there is no consent in writing of the landlord, and the landlord denies that he gave any oral consent, the Controller shall, on an application made to him in this behalf either by the landlord or by the sub-tenant within two months of the date of receipt of the notice of subletting by the landlord or the issue of the notice by the sub-tenant, as the case may be, by order, declare that the interest of the tenant in so much of the premises as has been sublet shall cease and that the sub-tenant shall become a tenant directly under the landlord from the date of the order. The Controller shall also fix the rents payable by the tenant and the sub-tenant to the landlord from the date of the order. Rent so fixed shall be deemed to be the fair rent for the purposes of this Act.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter VIII.—Penalties.—Clauses 27-29.)

CHAPTER VIII

Penalties

Penalty for cutting off or withholding of essential supply or service

27. (1) No landlord, either himself or through any person purporting to act on his behalf, shall, without any prior permission of the Controller, cut off or withhold any essential supply or service enjoyed by the tenant in respect of the premises let out to him.

(2) If the landlord contravenes the provisions of sub-section (1), the tenant may make an application to the Controller complaining of such contravention within six months.

(3) (a) If the Controller is satisfied that the essential supply or service was cut off or withheld by the landlord or his agent, the Controller may pass an order directing the landlord to restore such supply or service immediately pending the inquiry referred to in sub-section (4).

(b) Notwithstanding anything contained in clause (a), the Controller may pass an interim order without giving any notice to the landlord.

(4) If the Controller, on inquiry, finds that the essential supply or service enjoyed by the tenant in respect of the premises was cut off or withheld by the landlord without prior permission of the Controller, he shall pass an order directing the landlord to restore such supply or service.

(5) The Controller may direct that compensation, not exceeding five thousand rupees, be paid—

(a) to the landlord by the tenant, if the application was made frivolously or vexatiously, or

(b) to the tenant by the landlord, if the landlord or his agent had cut off or withheld such supply or service without prior permission of the Controller.

Explanation I.—"Essential supply or service" shall include supply of water, electricity, light in passage, staircase, lift service, and conservancy and sanitary service.

Explanation II.—For the purposes of this section, "withholding of essential supply or service" shall include acts or omissions attributable to the landlord, on account of which the essential supply or service is cut off by the local authority or any other competent authority.

Penalty for charging rent in excess of fair rent

28. (1) Whoever contravenes any of the provisions of section 13 shall, on a complaint made to the Controller by the party aggrieved, be liable to a fine which may extend to five times the amount or the value of the consideration claimed or demanded or received in excess of the fair rent for the first occasion and, for the second or subsequent occasion, to a fine which may extend to ten times the amount of such excess.

(2) Whoever contravenes any of the provisions of section 15 shall, on the complaint made to the Controller by the party aggrieved or by the State Government, be liable to a fine which may, for the first occasion, extend to twice the value of the furniture and, for the second or subsequent occasion, extend to four times such value.

Penalty for contravention of provisions for restriction subletting

29. Whoever contravenes the provisions for restriction on subletting shall, on a complaint made to the Controller, be liable to a fine which may extend to five thousand rupees.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter VIII.—Penalties.—Clauses 30-34.)

Penalty for contravention of section 14.

30. Any tenant or landlord or any other person who, in contravention of the provisions of section 14, receives any sum or consideration for relinquishment of tenancy or as premium or advance rent in excess of one month's rent, as the case may be, shall, on a complaint made to the Controller by the landlord, be liable to pay fine which may extend to fifty thousand rupees.

Penalty for contravention of provisions of section 10.

31. Any landlord who—

(a) after obtaining the delivery of possession of any premises from the tenant in pursuance of a decree obtained under clause (c) of sub-section (1) of section 6, contravenes the provision of sub-section (1) of section 10 by re-letting such premises within five years of the date of obtaining the delivery of possession thereof to any person other than such tenant without the permission of the Controller, or

(b) contravenes the provisions of sub-section (3) of section 10 by letting the premises, of which he was in occupation as owner thereof at the time of obtaining the delivery of possession of such premises from the tenant in pursuance of a decree, within five years from the date of obtaining such delivery of possession to any person other than the tenant from whom such delivery of possession was obtained without the permission of the Controller,

shall, on a complaint made to the Controller by such tenant within six months of such letting, be liable to a fine which may extend to twenty-five thousand rupees.

Penalty for refusal by landlord to grant receipt for rent paid.

32. If the landlord refuses to deliver to the tenant a receipt for any rent paid by the tenant, the Controller shall, on application made in this behalf by the tenant within two months from the date of payment and after hearing the landlord, by order, direct the landlord to pay to the tenant, by way of damages, such sum, not exceeding three times the amount of rent paid by the tenant, as the Controller may determine, and the cost of application, and shall issue a certificate to the tenant in respect of the rent paid.

Penalty for untrue statement in the application of tenant for deposit of rent.

33. If within thirty days from the date of receipt of the notice of deposit, the landlord complains to the Controller that the statement in the tenant's application of the reasons and circumstances which led him to deposit the rent is untrue, the Controller, after giving the tenant an opportunity of being heard, may levy on the tenant a fine which may extend to an amount equal to two months' rent or one thousand rupees, whichever is greater, provided he is satisfied that the said statement was materially untrue, and may, by order, direct that a sum out of the fine realised, as may be determined by him, be paid to the landlord as compensation.

Penalty for refusal to accept rent without reasonable cause.

34. The Controller may, on the complaint of the tenant and after giving an opportunity to the landlord of being heard, levy on the landlord a fine which may extend to an amount equal to two months' rent or one thousand rupees, whichever is greater, if he is satisfied that the landlord, without any reasonable cause, refused to accept the rent though tendered to him within the prescribed period and may, by order, direct that a sum out of the fine realised, as may be determined by him, be paid to the tenant as compensation.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter IX.—Essential repairs.—Clauses 35-37.)

CHAPTER IX

Essential repairs

Making of repair and taking of measures for maintenance of essential service.

35. (1) If the landlord neglects or fails to make tenantable repair of the premises or to take measures for due maintenance of essential supply or service comprised in the tenancy, the Controller shall, on application made to him by the tenant in possession of the premises, cause a notice to be served in the prescribed manner on the landlord requiring him to make such repair or take such measures for due maintenance therein of the essential supply or service.

(2) If after the service of notice under sub-section (1), the landlord fails to show proper cause or neglects to make such repair or to take, within reasonable time, such measures, as the case may be, the tenant may submit to the Controller an estimate of the cost of such repair or measures with application for permission to make such repair or take such measures himself, and thereupon the Controller may, after giving the landlord an opportunity of being heard and after considering such estimate and making such inquiries as may be considered necessary, by order in writing, permit the tenant to make such repair or take such measures at such cost as may be specified in the order.

Explanation.—"Essential supply or service" shall have the same meaning as in *Explanation I* to sub-section (5) of section 27.

Taking of measures by tenant in case of emergency.

36. (1) If the necessity for making any repair or taking any measure referred to in section 35 is so urgent that any delay is likely to subject the tenant to personal loss, damage or serious inconvenience, then, notwithstanding anything contained in that section, the tenant may himself cause the notice to be served in the prescribed manner on the landlord requiring him to undertake such repair or take such measures within seventy-two hours of the service of such notice.

(2) If the landlord neglects or fails to make such repair or take such measures within seventy-two hours as aforesaid, the tenant may submit an application along with a copy of the notice and an estimate of cost of such repair or measures to the Controller. The Controller shall thereupon make such inquiries as he may consider necessary about the necessity of such repair or measures and the correctness of the estimate so submitted and, on being satisfied, may, by order, direct the tenant to undertake such repair or take such measures at such cost as may be specified in the order.

(3) After the completion of the repair or measures under sub-section (2) of section 35 or sub-section (2) of this section, the tenant shall submit to the Controller a statement of cost thereof and thereafter the Controller, after giving the landlord an opportunity of being heard and after making such further inquiries as may be considered necessary, may, by order in writing, determine the amount of the cost which the tenant is entitled to recover from the landlord and the tenant may thereupon deduct the amount so determined from the rent or otherwise recover it from the landlord.

Tenant may get supply of electricity to the premises without permission of the landlord.

37. (1) If any landlord refuses or withholds his consent for obtaining a separate electric connection to a tenant, the tenant desiring to get such supply from a licensee as defined in clause (h) of section 2 of the Indian Electricity Act, 1910, may apply to the Controller setting out the scheme for such supply. 9 of 1910.

(2) On receipt of such application, the Controller may, after giving the landlord and the owner of the premises if he be not the landlord, an opportunity of being heard, give permission to the tenant to get the supply in accordance with the scheme set-out in the application or any modified scheme.

(3) On such permission being given, the landlord or the owner, as the case may be, shall, notwithstanding anything contained in any other law for the time being in force, be deemed to have given the requisite consent under sub-section (2) of section 12 of the Indian Electricity Act, 1910, and the licensee shall not be liable to the landlord or the owner for trespass for the steps taken for the supply of electricity in accordance with the provisions of this section.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter X.—Appointment of Controller and other officers.—Clauses 38, 39.)

CHAPTER X

Appointment of Controller and other officers

Appointment of Controller, Additional Controller, Deputy Controller and Registrar.

38. (1) The State Government may, by notification, appoint a person to be the Controller for any area or part of any area to which this Act extends to exercise the powers and discharge the duties of the Controller in accordance with the provisions of this Act in such area or part.

(2) The State Government may also, by notification, appoint any person to be an Additional Controller or a Deputy Controller or a Registrar or a Deputy Registrar for any area to which this Act extends.

(3) An Additional Controller or a Deputy Controller shall exercise such of the functions of the Controller as may, subject to the control of the State Government, be assigned to him in writing by the Controller and in the discharge of these functions an Additional Controller or a Deputy Controller shall have, and shall exercise, the same powers and shall discharge the same duties as the Controller.

(4) A Registrar or a Deputy Registrar shall exercise such of the functions of the Controller relating to the rent deposited under section 21 as may be delegated to him by the Controller in writing.

(5) A Controller, an Additional Controller or a Deputy Controller appointed under this section shall be a member of the Indian Administrative Service or Executive or Judicial Branch of the State Civil Service.

Powers of Controller.

39. (1) The Controller may transfer any proceeding pending before him for disposal to any Additional Controller or Deputy Controller or withdraw any proceeding pending before any Additional Controller or Deputy Controller and dispose of such proceeding himself or transfer such proceeding for disposal to any other Additional Controller or Deputy Controller.

(2) The Controller shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, for the purposes of— 5 of 1908.

(a) summoning and enforcing the attendance of any person and examining him on oath;
(b) requiring the discovery and production of document;
(c) issuing commission for examination of witness;
(d) issuing commission for local investigation;
(e) such other matters as may be prescribed.

(3) For the purposes of holding an inquiry or discharging any duty under this Act, the Controller may,—

(a) after giving not less than twenty-four hours' notice in writing, enter and inspect, or authorise any officer subordinate to him to enter and inspect, any premises at any time between sunrise and sunset, or
(b) by written order, require any person to produce for his inspection such books or other documents relevant to the inquiry, at such time and at such place as may be specified in the order.

(4) The Controller may, if he thinks fit, appoint one or more person having special knowledge of the matter under consideration as assessor or valuer to advise him in the proceeding before him.

(5) The Controller may appoint a guardian for a minor defendant in any proceeding pending before him.

(6) The Controller may grant temporary injunction in such cases as may be prescribed.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter X.—Appointment of Controller and other officers.—Clauses 40-42.—Chapter XI.—Appeal, revision and review.—Clause 43.)

(7) Any clerical or arithmetical mistake in any order passed by the Controller or any error arising out of any accidental omission may, at any time, be corrected by the Controller on an application received by him in this behalf from any of the parties or otherwise.

(8) The Controller may exercise the powers of a Judicial Magistrate for the recovery of the fine under the provisions of the Code of Criminal Procedure, 1973. 2 of 1974.

(9) Save as otherwise provided in the foregoing provisions of this section, an order passed by the Controller under any provision of this Act or an order passed on an appeal, revision or review therefrom shall be executed by the Controller as a decree of a civil court and, for this purpose, the Controller shall have all the powers of a civil court.

(10) The Controller may, for sufficient reason, direct any document or book produced before him in any proceeding to be impounded and kept in the custody of an officer under him for such period, and subject to such condition, as he may think fit.

(11) The Controller may, at any stage of a proceeding, allow either party to alter or amend his pleadings in such manner and at such time as he may deem just. All such alterations or amendments as may be necessary shall be made for the purpose of determining the question in dispute between the parties.

(12) The Controller may, at any stage of a proceeding, either on his own motion or upon the application of either party and on such terms as may appear to him to be just, order that the name of any party improperly joined be struck out and that the name of any person who ought to have been joined, whether as a petitioner or as an opposite party or whose presence before him may be necessary in order to enable him effectively and completely to adjudicate upon and settle all the questions involved in the proceedings, be added.

(13) The Controller may, for sufficient reason to be recorded in writing, by order, require the personal appearance of either party.

(14) The Controller may set aside an order passed *ex parte* if the aggrieved party files an application and satisfies him that notice was not duly served or that he was prevented by any sufficient cause from appearing when the case was called for hearing.

Application of the Limitation Act, 1963 to proceedings and appeals.

40. Subject to the provisions of this Act relating to limitation, the provisions of the Limitation Act, 1963, shall apply to proceedings and appeals under this Act. 36 of 1963.

Bar to proceedings.

41. No suit, prosecution of other legal proceeding shall lie against any officer of the Government for anything in good faith done or intended to be done under this Act and the rules made thereunder.

Final hearing of applications.

42. The hearing of every application made to the Controller under this Act shall be completed within a period of six months unless, for reasons to be recorded by the Controller in writing, it is not possible for him to complete the hearing within that period.

CHAPTER XI

Appeal, revision and review

Appeal, revision and review.

43. (1) An appeal shall lie from a final order of the Controller to the Tribunal to be appointed by the Government by notification:

Provided that until a Tribunal is so appointed, an appeal from the final order of the Controller shall lie to the High Court.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter XI.—Appeal, revision and review.—Clause 44.—Chapter XII.—Miscellaneous.—Clauses 45, 46.)

(2) An appeal shall be filed within 30 days from the date of order of the Controller.

(3) The Controller or the Tribunal shall in dealing with proceedings under this Act be deemed to be a court for the exercise of powers under section 151 or section 152 of, or Order XLVII of the First Schedule to, the Code of Civil Procedure, 1908. 5 of 1908.

(4) The Controller or the Tribunal shall in dealing with the proceedings under this Act follow such procedure as may be prescribed.

(5) Every proceeding before the Controller or the Tribunal shall be deemed to be a judicial proceeding within the meaning of section 175, section 193 and section 228 of the Indian Penal Code. 45 of 1860.

(6) The Controller or the Tribunal shall be deemed to be a court for the purpose of section 195 of the Code of Criminal Procedure, 1973. 2 of 1974.

(7) The Controller shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Jurisdiction of civil courts barred in respect of certain matters save as otherwise expressly provided in the Act.

44. No civil court shall entertain any suit or proceeding in so far as it relates to fixation of fair rent in relation to any premises to which this Act applies or to eviction of any tenant therefrom or to any other matter which the Controller is empowered by or under this Act to decide and no injunction in respect of any action taken or to be taken by the Controller under this Act shall be granted by any civil court.

CHAPTER XII

Miscellaneous

Repeal and savings

45. (1) The West Bengal Premises Tenancy Act, 1956 (hereinafter referred to in this Chapter as the said Act), is hereby repealed. West Ben. Act XII of 1956.

(2) Notwithstanding such repeal, all suits and other proceedings under the said Act pending at the commencement of this Act before any court or any other authority shall be continued and disposed of in accordance with the provisions of the said Act as if the said Act had continued in force and this Act had not been passed:

Provided that in any such suit or proceeding for fixation of standard rent or for the eviction of tenant from any premises, the court or other authority may have regard to the provisions of this Act:

Provided further that the provisions for appeal under the said Act shall continue in force in respect of the suit or proceeding disposed of thereunder:

Provided also that for any of the purposes as aforesaid, the Controller or the Additional Controller or the Deputy Controller appointed under this Act shall be deemed to be the Rent Controller or Additional Rent Controller or Deputy Rent Controller, as the case may be, appointed under the said Act.

Explanation.—In this section, "proceeding" includes any appeal, review or, revision, application for execution, or any other proceeding whatsoever under the said Act.

Proceedings to be deemed to have been validly continued.

46. For the removal of doubt it is hereby declared that notwithstanding any decision of any court to the contrary, any proceeding pending at the commencement of this Act, which was continued after that date and any decree passed or order made after that date in accordance with the provisions of the said Act in any such proceeding, shall be deemed to have been validly continued, passed or made, as if the said Act had been in force, and had not been repealed, and no such proceeding, decree or order shall be called in question in any manner merely on the ground that the said Act was not in force when such proceeding was continued, such decree was passed or such order was made.

The West Bengal Premises Tenancy Bill, 1996.

(Chapter XII.—Miscellaneous.—Clause 47.—Schedules I-III.)

Power to make rules.

47. (1) The State Government may, by notification, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the matters which, under any provision of this Act, are required to be prescribed or to be provided for by rules.

(3) All rules made under this Act shall, as soon as may be after they come into force, be laid before the State Legislature.

SCHEDULE I

[*See* section 9(3).]

Form of summons in a case where recovery of possession of premises is prayed for on the ground of reasonable requirement by landlord.

To

(Name, description and place of residence of the tenant/sub-tenant)

WHEREAS Shri ..... has filed an application (a copy of which is annexed) for your eviction from (here insert the particulars of the premises) on the ground specified in clause (d) of sub-section (1) of section 6;

You are hereby summoned to appear before the Controller within fifteen days of the service hereof and to obtain the leave of the Controller to contest the application for eviction on the ground aforesaid; in default whereof, the applicant will be entitled at any time after the expiry of the said period of fifteen days to obtain an order for your eviction from the said premises.

Leave to appear and contest the application may be obtained from the Controller by filing an affidavit as is referred to in sub-section (6) of section 8.

Given under my hand and seal this ..... day of ....., 19.....

Controller.

SCHEDULE II

[*See* section 17(3).]

Premises having floor space of	Increase over existing rent	Payable in 1st year	2nd year	3rd year	4th year
25 square meters	100%	25%	25%	25%	25%
50 " "	150%	30%	35%	35%	
75 " "	200%	30%	35%	35%	
Above 75 square meters	300%	40%	40%	20%	

SCHEDULE III

[*See* section 17(4).]

Premises having floor space of	Increase over existing rent	Payable in 1st year	2nd year	3rd year	4th year
25 square meters	50%	25%	25%	25%	25%
50 " "	100%	30%	30%	40%	
75 " "	150%	30%	35%	35%	
Above 75 square meters	200%	40%	40%	20%	

STATEMENT OF OBJECTS AND REASONS.

The present Bill viz. "The West Bengal Premises Tenancy Bill, 1996 is meant to replace "The West Bengal Premises Tenancy Act, 1956; with the object of regulating the incidence of tenancies of premises and relationship between the landlords and tenants of the premises in the changed circumstances.

The National Housing Policy approved by the Central Government recommended that appropriate amendment in existing laws and regulations be carried out for creating enabling atmosphere for housing activities in the country. A number of expert bodies such as the Economic Administration Reform Commission and the National Commission on Urbanisation have recommended reforming the rent legislation in a way that balances the interests of both the landlords and the tenants and also that stimulates future construction to meet the growing demands for housing.

On the basis of the various recommendations of the experts and also after a series of consultations with the State Governments, the Ministry of Urban Development, Government of India prepared a Model Rent Control Legislation, and sent to the States for consideration.

The Land and Land Reforms Department set up a committee under the Chairmanship of the Land Reforms Commissioner. The Committee considered the salient features of the 'Model' and obtained the views of Tenants' Associations and Houseowners' Associations on these features, heard them and suggested a new enactment by replacing the old one.

The Department accepted the suggestion and has prepared the "The West Bengal Premises Tenancy Bill, 1996" to replace the existing Act i.e. "The West Bengal Premises Tenancy Act, 1956".

CALCUTTA,
The 18th July, 1996.

SURJYA KANTA MISHRA,
Member-in-charge.

FINANCIAL MEMORANDUM.

The financial implication of the Bill is "Nil".

CALCUTTA,
The 18th July, 1996.

SURJYA KANTA MISHRA,
Member-in-charge.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-I)/96/SAR-158**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 28] FRIDAY, JULY 19, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

JUDICIAL DEPARTMENT

CORRIGENDUM

Dated, the 19th July, 1996.

In this department notification No. 1451-JF, dated the 19th June, 1996, published in Part I of the *Calcutta Gazette, Extraordinary*, dated the 19th June, 1996, in the right hand column,—

(1) in line 4, for the word and figure "section 4", *read* the word and figures "section 14";

(2) in line 9, for the word and figure "section 4", *read* the word and figures "section 14";

(3) in line 13, for the word and figure "section 4", *read* the word and figures "section 14".

By order of the Governor,

P. K. SENGUPTA,
Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-IV)/96/SAR-159**

The Calcutta Gazette

Extraordinary
Published by Authority

ASADHA 31] MONDAY, JULY 22, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

WEST BENGAL GOVERNMENT PRESS, ALIPORE

CORRIGENDUM
Dated, the 22nd July, 1996.

In the *Calcutta Gazette, Extraordinary,* Part IV, No. WB (Part IV)/96/SAR-151, publishing therein Government of West Bengal, Law Department, Legislative, Corrigendum to the Statement of Objects and Reasons of the West Bengal Land Reforms (Amendment) Bill, 1996, dated the 12th July, 1996, for the words and figure "FRIDAY, JULY 6," *read* the words and figures "FRIDAY, JULY 12,".

G. K. MANDAL,

Superintendent,
Government Printing, West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 0056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-19**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASADHA 31] MONDAY, JULY 22, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1413-L.—22nd July, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XVI of 1996

THE WEST BENGAL MINORITIES' COMMISSION ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 22nd July, 1996.]

An Act to constitute a Minorities' Commission to study and suggest additional social, economic, educational and cultural requirements of religious and linguistic minorities of West Bengal with a view to equipping them to preserve secular traditions of West Bengal and to promote national integration.

WHEREAS it is expedient to constitute a Minorities' Commission to study and suggest additional social, economic, educational and cultural requirements of religious and linguistic minorities of West Bengal with a view to equipping them to preserve secular traditions of West Bengal and to promote national integration;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title, extent and commencement

1. (1) This Act may be called the West Bengal Minorities' Commission Act, 1996.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date as the State Government may, by notification, apppoint.

The West Bengal Minorities' Commission Act, 1996.

(Sections 2-4.)

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "Commission" means the West Bengal Minorities' Commission constituted under section 3;

(b) "Member" means a Member of the Commission;

(c) "Minority", for the purpose of this Act, means a community based on religion such as Muslim, Christian, Sikh, Buddhist, or Zoroastrian (Parsee), and includes—

(i) such other minority as the Central Government may notify under clause (c) of section 2 of the National Commission for Minorities Act, 1992, or 19 of 1992.

(ii) such other minority based on language within the purview of article 29 of the Constitution of India (hereinafter referred to as the Constitution) as the State Government may, by notification, specify from time to time;

(d) "notification" means a notification published in the *Official Gazette*;

(e) "prescribed" means prescribed by rules made under this Act.

Constitution of the Commission.

3. (1) The State Government shall constitute a body to be known as the West Bengal Minorities' Commission to exercise the powers conferred on, and to perform he functions assigned to, it under this Act.

(2) The Commission shall consist of the following Members:—

(a) a Chairperson, who shall be a person of public eminence, to be nominated by the State Government,

(b) a Vice-Chairperson to be nominated by the State Government,

(c) a Member-Secretary,

(d) the Secretary, Minorities' Development and Welfare Department, Government of West Bengal, *ex officio*,

(e) a representative of the West Bengal Minorities Development and Finance Corporation, *ex officio*, and

(f) such number of other members from amongst persons of public eminence, not exceeding five, of whom one shall be a woman, as the State Government may nominate:

Provided that at least five members, one of whom shall be a woman, shall be from amongst the notified minority communities.

Functions of the Commission.

4. (1) The Commission shall perform the following functions:—

(a) evaluate the progress of the development of minorities of West Bengal and review implementation of the policies and programme of the State Government;

(b) monitor the working of the safeguards provided in the Constitution and in laws enacted by Parliament or the State Legislature;

(c) make recommendations for the effective enforcement and implementation of safeguards for the protection of the interests of minorities provided by the Central Government or the State Government;

(d) look into specific complaints regarding deprivation of social, economic, educational, cultural and linguistic rights and safeguards of the minorities and take up such matters with the appropriate authorities;

(e) recommend to the State Government to accord minority status to religious, linguistic and ethnic groups, provided such groups do not enjoy any constitutional or statutory benefits or status;

(f) cause studies to be undertaken into problems arising out of any discrimination against minorities and recommend measures for their removal;

(g) conduct studies, research and analysis on the issues relating to socio-economic and educational development of minorities;

(h) make annual report to the State Government on any matter pertaining to any of the functions of the Commission under this section.

The West Bengal Minorities' Commission Act, 1996.

(Sections 5-7.)

(2) (a) The Commission shall have the powers of a civil court trying a suit while performing the functions under sub-section (1);

(b) The Commission shall, while investigating or enquiring into any complaints regarding violation or infringement of any rights of the minority as guaranteed by the Constitution or as conferred by or under any Central Act or State Act, shall have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908, and, in particular, in respect of the following matters:— 5 of 1908

(i) summoning and enforcing the attendance of any person from any part of India, and examining him on oath,

(ii) requiring the discovery and production of any document,

(iii) receiving evidence on affidavits,

(iv) requisitioning any public record or copy thereof from any court or office,

(v) issuing commissions for the examination of witnesses and documents, and

(vi) any other matter which may be prescribed.

(3) The advice of the Commission and, especially, the findings of the Commission concerning deprivation of any right of the minority or any infringement of any well-being of the minority by omission or commission, shall ordinarily be binding upon the State Government.

Term of office and conditions of service of Chairperson, Vice-Chairperson, Members and Member-Secretary

5. (1) The Chairperson, Vice-Chairperson and every Member shall hold office for a term of three years from the date he assumes office.

(2) The Chairperson, Vice-Chairperson or a Member may, at any time, by writing under his hand addressed to the State Government, resign from the office of the Chairperson, Vice-Chairperson or Member, as the case may be.

(3) A person shall be disqualified for being chosen as, and for being, a Member of the Commission—

(a) if he is a lunatic or a person of unsound mind, or

(b) if he has been adjudged insolvent, or

(c) if he has been convicted of an offence involving moral turpitude, or

(d) if he refuses to act or becomes incapable of acting, or

(e) if he is, without obtaining leave of absence from the Commission, absent from three consecutive meetings of the Commission, or

(f) if he has, in the opinion of the State Government, so abused the position of Chairperson, Vice-Chairperson or Member as to render that person's continuance in office detrimental to the interests of minorities or the public interest:

Provided that no person shall be removed under this clause until that person has been given a reasonable opportunity of being heard in the matter.

(4) A vacancy caused under sub-section (2) or otherwise shall be filled up by fresh nomination.

(5) The Member-Secretary shall be entitled to such pay and allowances as the State Government may determine.

Procedure to be regulated by the Commission

6. (1) The headquarters of the Commission shall be in Calcutta.

(2) The Commission shall meet as and when necessary at such time and place as the Commission thinks fit.

(3) The Commission shall make rules to regulate its own procedure.

(4) All orders and decisions of the Commission shall be authenticated by the Member-Secretary or any other officer of the Commission duly authorised by the Member-Secretary in this behalf.

Member-Secretary

7. The Member-Secretary shall be whole-time, and shall be appointed by the State Government.

The West Bengal Minorities' Commission Act, 1996.

(Sections 8-13.)

Officers and other employees of the Commission

8. (1) (a) The State Government shall, in consultation with the Commission, provide it with such officers and other employees, on deputation, as may be necessary for efficient performance of the functions of the Commission.

(b) Notwithstanding anything contained in clause (a), the posts of officers and other employees of the Commission shall be created and filled up with the prior approval of the State Government.

(2) The salaries and allowances payable to, and the other terms and conditions of service of, the officers and other employees of the Commission, other than those who are on deputation, shall be such as may be prescribed by the Commission in consultation with the Government.

Salaries and allowances to be paid out of grants

9. The allowances payable to the Chairperson, Vice-Chairperson and Members and the administrative expenses including salaries, allowances and pensions payable to the officers and other employees referred to in section 7 and section 8, shall be paid out of the grants referred to in sub-section (1) of section 10.

Grants by the State Government

10. (1) The State Government shall, after due appropriation made by the State Legislature by law in this behalf, pay to the Commission by way of grants such sums of money as the State Government may think fit for being utilised for the purposes of this Act.

(2) The Commission may spend such sums as it thinks fit for performing the functions under this Act, and such sums shall be treated as expenditure payable out of the grants referred to in sub-section (1).

Accounts and audit.

11. (1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed in consultation with the Accountant-General, West Bengal.

(2) The annual accounts of the Commission shall be audited by the Accountant-General, West Bengal.

(3) The Accountant-General, West Bengal, shall have the same rights and privileges and the authority in connection with such audit as the Accountant-General, West Bengal, generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office of the Commission.

(4) The Commission shall forward to the State Government annually the accounts of the Commission as certified by the Accountant-General, West Bengal, together with the audit report thereon.

Annual report.

12. (1) The Commission shall prepare for each financial year, in such form, and at such time, as may be prescribed, its annual report giving a full account of its activities during the previous financial year and forward a copy thereof to the State Government.

(2) An Accounts Officer of the State Government shall be placed at the disposal of the Commission by the State Government for ensuring compliance with the provisions of section 11 and sub-section (1) of this section.

Chairperson, Vice-Chairperson, Members and staff of the Commission to be public servants.

13. The Chairperson, Vice-Chairperson, Members and employees of the Commission shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

The West Bengal Minorities' Commission Act, 1996.

(Sections 14-16.)

Power to make rules

14. (1) The State Government may, by notification, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters:—

(a) allowances payable to, and the other terms and conditions of service and facilities of, the Chairperson, Vice-Chairperson and Members, and of officers and other employees, under sub-section (1) of section 9;

(b) the form in which the annual statement of accounts shall be maintained under sub-section (1) of section 11;

(c) the form in which, and the time at which, the annual report shall be prepared under sub-section (1) of section 12;

(d) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modification in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to remove difficulties.

15. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the *Official Gazette*, make provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

Repeal, saving and validation

16. (1) The resolution made under notification No. 84-P.M., dated the 14th July, 1994, read with the resolution made under notification No. 178-P.M., dated the 13th September, 1995, by the State Government constituting the West Bengal Minorities' Commission (hereinafter referred to as the former Commission) is hereby repealed.

(2) Upon such repeal,—

(a) all property and assets under the control of the former Commission and all rights, liabilities and obligations acquired or incurred by the former Commission before the commencement of this Act shall vest in the Commission in accordance with such order as the State Government may make in this behalf;

(b) all legal proceedings or remedies instituted or enforceable by or against the former Commission before the commencement of this Act may be continued or enforced, as the case may be, by or against the Commission as established under this Act or, until the Commission is so established, by or against such officer or authority as the State Government may by order specify

The West Bengal Minorities' Commission Act, 1996.

(Section 17.)

(c) all officers and other persons in the employ of the former Commission immediately before the commencement of this Act shall, until other provision is made, continue in the service of the Commission.

Repeal.

17. The West Bengal Minorities' Commission Ordinance, 1996, is hereby repealed. West Ben. Ord. IV of 1996.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-20**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

SRAVANA 4] FRIDAY, JULY 26, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1456-L.—26th July, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XVII of 1996

THE WEST BENGAL APPROPRIATION (NO. 2) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 26th July, 1996.]

An Act to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of West Bengal for the services and purposes of the year ending on the thirty-first day of March, 1997.

WHEREAS it is expedient to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of West Bengal for the services and purposes of the year ending on the thirty-first day of March, 1997;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title.

1. This Act may be called the West Bengal Appropriation (No. 2) Act, 1996.

The West Bengal Appropriation (No. 2) Act, 1996.

(Clauses 2, 3.)

Issue of Rs. 1,43,52,06,15,000 out of the Consolidated Fund of West Bengal for the year 1996-97

2. From and out of the Consolidated Fund of West Bengal there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate [inclusive of the sums specified in column 3 of the Schedule to the West Bengal Appropriation (Vote-on-Account) Act, 1996] to the sum of rupees fourteen thousand three hundred fifty-two crores six lakhs and fifteen thousand towards defraying the several charges which will come in course of payment during the year ending on the thirty-first day of March, 1997, in respect of the services and purposes specified in column 2 of the Schedule.

Appropriation

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of West Bengal by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the year ending on the thirty-first day of March, 1997.

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

SCHEDULE.

(*See* sections 2 and 3.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	A—General Services			
	(a) Organs of State			
1	2011—State Legislature ..	6,78,55,000	*7,50,000*	6,86,05,000
Serial 2	2012—Governor ..	..	*1,51,00,000*	1,51,00,000
3	2013—Council of Ministers ..	1,85,85,000	..	1,85,85,000
4	2014—Administration of Justice ..	51,64,35,000	*15,78,00,000*	67,42,35,000
5	2015—Elections ..	49,81,05,000	*5,000*	49,81,10,000
	(b) Fiscal Services			
	(i) Collection of Taxes on Income and Expenditure			
6	2020—Collection of Taxes on Income and Expenditure	3,36,51,000	*2,000*	3,36,53,000
	(ii) Collection of Taxes on Property and Capital Transactions			
7	2029—Land Revenue ..	1,51,34,97,000	*1,00,000*	1,51,35,97,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(i) Capital Account of General Economic Services			
	5475—Capital Outlay on Other General Economic Services. ..	63,30,000	..	63,30,000
	Total ..	1,51,98,27,000	*1,00,000*	1,51,99,27,000
	REVENUE ACCOUNT			
	A—General Services			
	(b) Fiscal Services			
	(ii) Collection of Taxes on Property and Capital Transactions			
8	2030—Stamps and Registration ..	26,29,95,000	..	26,29,95,000
9	2035—Collection of Other Taxes on Property and Capital Transactions. ..	25,00,000	..	25,00,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(iii) Collection of Taxes on Commodities and Services			
10	2039—State Excise ..	23,51,45,000	..	23,51,45,000
11	2040—Taxes on Sales, Trade etc. ..	38,30,40,000	..	38,30,40,000
12	2041—Taxes on Vehicles ..	4,91,75,000	..	4,91,75,000
13	2045—Other Taxes and Duties on Commodities and Services. ..	11,25,35,000	..	11,25,35,000
	(iv) Other Fiscal Services			
14	2047—Other Fiscal Services ..	6,83,60,000	..	6,83,60,000
	(c) Interest Payment and Servicing of Debt			
16	2049—Interest Payments ..	35,00,000	*20,06,49,25,000*	20,06,84,25,000
	(d) Administrative Services			
Serial 17	2051—Public Service Commission ..	..	*2,96,75,000*	2,96,75,000
18	2052—Secretariat—General Services ..	34,40,15,000	..	34,40,15,000
19	2053—District Administration ..	33,25,60,000	..	33,25,60,000
20	2054—Treasury and Accounts Administration ..	24,43,00,000	..	24,43,00,000
21	2055—Police ..	5,54,03,20,000	..	5,54,03,20,000
22	2056—Jails ..	35,12,40,000	..	35,12,40,000
24	2058—Stationery and Printing ..	12,69,70,000	..	12,69,70,000
	2059—Public Works ..	1,53,08,55,000	*2,58,45,000*	1,55,67,00,000
	Public Works under Functional Heads			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
25	2205—Art and Culture (Buildings) ..	60,50,000	..	60,50,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	2216—Housing (Buildings) ..	6,50,00,000	..	6,50,00,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(h) Others			
	C—Economic Services			
	(f) Industry and Minerals			
	2853—Non-Ferrous Mining and Metallurgical Industries (Buildings). ..	9,50,000	..	9,50,000
	(j) General Economic Services			
	Capital Expenditure Outside the Revenue Account			
25	**A—Capital Account of General Services**			
	4059—Capital Outlay on Public Works ..	42,76,15,000	*8,00,000*	42,84,15,000
	Capital Outlay on Public Works under Functional Heads			
	B—Capital Account of Social Services			
	(a) Education, Sports, Art and Culture			
	4202—Capital Outlay on Education, Sports, Art and Culture (Buildings). ..	17,96,00,000	..	17,96,00,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	(b) Health and Family Welfare			
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health) (Buildings). ..	33,62,00,000	..	33,62,00,000
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health) (Tribal Areas Sub-Plan) (Buildings). ..	1,08,00,000	..	1,08,00,000
	4210—Capital Outlay on Medical and Public Health (Public Health) (Buildings). ..	12,00,000	..	12,00,000
	4211—Capital Outlay on Family Welfare (Buildings)	6,00,000	..	6,00,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4216—Capital Outlay on Housing (Buildings) ..	17,58,80,000	..	17,58,80,000
	(d) Information and Broadcasting			
	4220—Capital Outlay on Information and Publicity (Buildings). ..	3,60,000	..	3,60,000
	(g) Social Welfare and Nutrition			
25	**(h) Others**			
	4250—Capital Outlay on Other Social Services (Buildings). ..	10,00,000	..	10,00,000
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4403—Capital Outlay on Animal Husbandry (Excluding Public Undertakings) (Buildings). ..	60,90,000	..	60,90,000
	4408—Capital Outlay on Food, Storage and Warehousing (Excluding Public Undertakings) (Buildings).	2,22,41,000	..	2,22,41,000
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings) (Buildings).	34,00,000	..	34,00,000
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan) (Buildings).	5,000	..	5,000
	Total ..	2,76,78,46,000	*2,66,45,000*	2,79,44,91,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs	*Rs.*	Rs.
	REVENUE ACCOUNT			
	A—General Services			
	(d) Administrative Services			
26	2070—Other Administrative Services (Fire Protection and Control). . .	43,97,50,000	. .	43,97,50,000
27	2070—Other Administrative Services (Excluding Fire Protection and Control). . .	85,31,25,000	. .	85,31,25,000
	REVENUE ACCOUNT			
	A—General Services			
	(e) Pension and Miscellaneous General Services			
28	2071—Pensions and Other Retirement Benefits . .	5,88,92,85,000	*1,15,000*	5,88,94,00,000
29	2075—Miscellaneous General Services . .	5,91,55,000	. .	5,91,55,000
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
30	2202—General Education . .	22,92,27,11,000	. .	22,92,27,11,000
	2203—Technical Education . .	58,36,90,000	. .	58,36,90,000
	2205—Art and Culture . .	10,19,60,000	. .	10,19,60,000
	Capital Expenditure Outside the Revenue Account			
	F—Loans and Advances			
	6202—Loans for Education, Sports, Art and Culture . .	5,10,000	. .	5,10,000
	Total . .	23,60,88,71,000	. .	23,60,88,71,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund	Total.
		Rs.	*Rs*	Rs
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
31	2204—Sports and Youth Services ..	29,22,45,000	..	29,22,45,000
	(b) Health and Family Welfare			
	2210—Medical and Public Health (Excluding Public Health) ..	5,19,87,00,000	..	5,19,87,00,000
	Capital Expenditure Outside the Revenue Account			
32	**B—Capital Account of Social Services**			
	(b) Health and Family Welfare			
	4210—Capital Outlay on Medical and Public Health (Excluding Public Health). ..	50,00,000	..	50,00,000
	Total ..	5,20,37,00,000	..	5,20,37,00,000
	REVENUE ACCOUNT			
	B—Social Services			
	(b) Health and Family Welfare			
33	2210—Medical and Public Health (Public Health) ..	85,49,60,000	..	85,49,60,000
34	2211—Family Welfare ..	77,09,77,000	..	77,09,77,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	2215—Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution). ..	1,66,65,57,000	..	1,66,65,57,000
35	**F—Loans and Advances**			
	6215—Loans for Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution) ..	1,10,50,000	..	1,10,50,000
	Total ..	1,67,76,07,000	..	1,67,76,07,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
36	2216—Housing ..	25,60,18,000	*1,02,000*	25,61,20,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4216—Capital Outlay on Housing ..	34,64,75,000	..	34,64,75,000
	F—Loans and Advances			
	6216—Loans for Housing ..	2,50,00,000	..	2,50,00,000
	Total ..	62,74,93,000	*1,02,000*	62,75,95,000
	REVENUE ACCOUNT			
	B—Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
37	2217—Urban Development ..	2,96,09,00,000	..	2,96,09,00,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
	4217—Capital Outlay on Urban Development ..	1,40,00,000	..	1,40,00,000
	F—Loans and Advances			
	6217—Loans for Urban Development ..	71,35,00,000	..	71,35,00,000
	Total ..	3,68,84,00,000	..	3,68,84,00,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(d) Information and Broadcasting			
38	2220—Information and Publicity ..	19,89,50,000	..	19,89,50,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	(d) Information and Publicity			
	4220—Capital Outlay on Information and Publicity ..	35,93,000	..	35,93,000
	F—Loans and Advances			
	6220—Loans for Information and Publicity ..	90,00,000	..	90,00,000
	Total ..	21,15,43,000	..	21,15,43,000
	REVENUE ACCOUNT			
	B—Social Services			
	(f) Labour and Labour Welfare			
39	2230—Labour and Employment ..	42,12,70,000	..	42,12,70,000
	(g) Social Welfare and Nutrition			
40	2235—Social Security and Welfare (Rehabilitation) ..	41,37,30,000	*1,50,00,000*	42,87,30,000
	Capital Expenditure Outside the Revenue Account			
	F—Loans and Advances			
	6235—Loans for Social Security and Welfare (Rehabilitation). ..	5,00,000	..	5,00,000
	Total ..	41,42,30,000	*1,50,00,000*	42,92,30,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(a) Education, Sports, Art and Culture			
41	2202—General Education (Tribal Areas Sub-Plan) ..	7,98,40,000	..	7,98,40,000
	2204—Sports & Youth Services (Tribal Areas Sub-Plan)	20,00,000	..	20,00,000
	(b) Health and Family Welfare			
	2210—Medical and Public Health (Excluding Public Health) (Tribal Areas Sub-Plan). ..	2,53,70,000	..	2,53,70,000
	2210—Medical and Public Health (Public Health) (Tribal Areas Sub-Plan). ..	48,00,000	..	48,00,000
	(c) Water Supply, Sanitation, Housing and Urban Development			
	2215—Water Supply and Sanitation (Excluding Prevention of Air and Water Pollution) (Tribal Areas Sub-Plan). ..	4,03,30,000	..	4,03,30,000
	(e) Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes			
	2225—Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes. ..	1,33,29,64,000	..	1,33,29,64,000
	(g) Social Welfare and Nutrition			
	2235—Social Security and Welfare (Social Welfare) (Tribal Areas Sub-Plan). ..	14,79,000	..	14,79,000
	2236—Nutrition ..	30,00,000	..	30,00,000
	2250—Other Social Services (Tribal Areas Sub-Plan). .	1,000	..	1,000
	C—Economic Services			
	(a) Agriculture and Allied Activities			
	2401—Crop Husbandry (Tribal Areas Sub-Plan) ..	1,35,00,000	..	1,35,00,000
	2402—Soil and Water Conservation (Tribal Areas Sub-Plan). ..	51,00,000	..	51,00,000
	2403—Animal Husbandry (Tribal Areas Sub-Plan) ..	1,10,80,000	..	1,10,80,000
	2405—Fisheries (Tribal Areas Sub-Plan) ..	58,20,000	..	58,20,000
	2406—Forestry and Wild Life (Tribal Areas Sub-Plan)	12,24,00,000	..	12,24,00,000
	2408—Food, Storage and Warehousing (Tribal Areas Sub-Plan). ..	1,50,000	..	1,50,000
	2425—Co-operation (Tribal Areas Sub-Plan) ..	15,26,000	..	15,26,000
	2435—Other Agricultural Programmes (Tribal Areas Sub-Plan). ..	8,00,000	..	8,00,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund	Total.
		Rs.	*Rs.*	Rs.
	(b) Rural Development			
	2501—Special Programmes for Rural Development (Tribal Areas Sub-Plan). ..	7,41,25,000	..	7,41,25,000
	(c) Special Areas Programmes			
	2575—Other Special Areas Programmes (Tribal Areas Sub-Plan). ..	65,00,000	..	65,00,000
	(d) Irrigation and Flood Control			
	2702—Minor Irrigation (Tribal Areas Sub-Plan) ..	34,94,000	..	34,94,000
	(f) Industry and Minerals			
	2851—Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan). ..	88,45,000	..	88,45,000
	Capital Expenditure Outside the Revenue Account			
41	**B—Capital Account of Social Services**			
	(e) Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes			
	4225—Capital Outlay on Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes.	4,24,70,000	..	4,24,70,000
	(h) Others			
	4250—Capital Outlay of Other Social Services (Tribal Areas Sub-Plan). ..	3,000	..	3,000
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4401—Capital Outlay on Crop Husbandry (Excluding Public Undertakings) (Tribal Areas Sub-Plan).	2,00,000	..	2,00,000
	4425—Capital Outlay on Co-operation (Tribal Areas Sub-Plan). ..	27,11,000	..	27,11,000
	4435—Capital Outlay on Other Agricultural Programmes (Tribal Areas Sub-Plan). ..	10,00,000	..	10,00,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	(d) Capital Account of Irrigation and Flood Control			
	4702—Capital Outlay on Minor Irrigation (Tribal Areas Sub-Plan). ..	2,99,84,000	..	2,99,84,000
	4705—Capital Outlay on Command Area Development (Tribal Areas Sub-Plan). ..	4,50,000	..	4,50,000
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan). ..	1,63,000	..	1,63,000
	(g) Capital Account of Transport			
41	5054—Capital Outlay on Roads and Bridges (Tribal Areas Sub-Plan). ..	6,80,00,000	..	6,80,00,000
	F—Loans and Advances			
	6225—Loans for Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes.	70,00,000	..	70,00,000
	6250—Loans for Other Social Services (Tribal Areas Sub-Plan). ..	2,000	..	2,000
	6425—Loans for Co-operation (Tribal Areas Sub-Plan)	4,73,000	..	4,73,000
	6575—Loans for Other Special Areas Programmes (Excluding Public Undertakings) (Tribal Areas Sub-Plan). ..	2,00,000	..	2,00,000
	6851—Loans for Village and Small Industries (Excluding Public Undertakings) (Tribal Areas Sub-Plan). ..	2,47,000	..	2,47,000
	Total ..	1,89,60,27,000	..	1,89,60,27,000
	REVENUE ACCOUNT			
	B—Social Services			
	(g) Social Welfare and Nutrition			
42	2235—Social Security and Welfare (Social Welfare) ..	1,43,37,51,000	..	1,43,37,51,000
43	2236—Nutrition ..	14,14,00,000	..	14,14,00,000
44	2245—Relief on account of Natural Calamities ..	1,04,26,00,000	..	1,04,26,00,000
	(h) Others			
45	2251—Secretariat Social Services ..	13,09,10,000	..	13,09,10,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	B—Social Services			
	(h) Others			
46	2250—Other Social Services ..	18,32,05,000	..	18,32,05,000
	Capital Expenditure Outside the Revenue Account			
	B—Capital Account of Social Services			
	4250—Capital Outlay on Other Social Services ..	3,30,47,000	..	3,30,47,000
	F—Loans and Advances			
	6250—Loans for Other Social Services ..	22,23,000	..	22,23,000
	Total ..	21,84,75,000	..	21,84,75,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
47	2401—Crop Husbandry ..	92,03,80,000	..	92,03,80,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Agriculture and Allied Activities			
	4401—Capital Outlay on Crop Husbandry (Excluding Public Undertakings). ..	56,50,000	..	56,50,000
	F—Loans and Advances			
	6401—Loans for Crop Husbandry (Excluding Public Undertakings). ..	1,00,00,000	..	1,00,00,000
	Total ..	93,60,30,000	..	93,60,30,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
48	2402—Soil and Water Conservation ..	16,72,36,000	..	16,72,36,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4402—Capital Outlay on Soil and Water Conservation	5,00,000	..	5,00,000
	Total ..	16,77,36,000	..	16,77,36,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
49	2403—Animal Husbandry ..	69,53,08,000	..	69,53,08,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4403—Capital Outlay on Animal Husbandry (Excluding Public Undertakings). ..	2,98,00,000	..	2,98,00,000
	Total ..	72,51,08,000	..	72,51,08,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
50	2404—Dairy Development ..	99,74,37,000	..	99,74,37,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4404—Capital Outlay on Dairy Development (Excluding Public Undertakings). ..	2,51,00,000	..	2,51,00,000
	Total ..	1,02,25,37,000	..	1,02,25,37,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
51	2405—Fisheries ..	40,12,90,000	..	40,12,90,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4405—Capital Outlay on Fisheries ..	2,90,00,000	..	2,90,00,000
	F—Loans and Advances			
	6405—Loans for Fisheries ..	6,08,00,000	..	6,08,00,000
	Total ..	49,10,90,000	..	49,10,90,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
52	2406—Forestry and Wild Life ..	98,40,35,000	*40,00,000*	98,80,35,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4406—Capital Outlay on Forestry and Wild Life ..	20,00,000	..	20,00,000
	Total ..	98,60,35,000	*40,00,000*	99,00,35,000
	REVENUE ACCOUNT			
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
53	4407—Capital Outlay on Plantations ..	89,00,000	..	89,00,000
	F—Loans and Advances			
	6407—Loans for Plantations ..	1,45,00,000	..	1,45,00,000
	Total ..	2,34,00,000	..	2,34,00,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
54	2408—Food, Storage and Warehousing ..	51,36,30,000	..	51,36,30,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4408—Capital Outlay on Food, Storage and Warehousing (Excluding Public Undertakings). ..	25,70,00,000	*50,000*	25,70,50,000
	Total ..	77,06,30,000	*50,000*	77,06,80,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
55	2415—Agricultural Research and Education ..	32,55,55,000	..	32,55,55,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4415—Capital Outlay on Agricultural Research and Education (Excluding Public Undertakings). ..	8,00,000	..	8,00,000
	Total ..	32,63,55,000	..	32,63,55,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
57	2425—Co-operation ..	32,07,55,000	..	32,07,55,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4425—Capital Outlay on Co-operation ..	9,05,24,000	..	9,05,24,000
	F—Loans and Advances			
	6425—Loans for Co-operation ..	5,64,66,000	..	5,64,66,000
	Total ..	46,77,45,000	..	46,77,45,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(a) Agriculture and Allied Activities			
58	2435—Other Agricultural Programmes ..	10,26,35,000	..	10,26,35,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4435—Capital Outlay on Other Agricultural Programmes	42,00,000	..	42,00,000
	Total ..	10,68,35,000	..	10,68,35,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(b) Rural Development			
59	2501—Special Programmes for Rural Development ..	47,43,75,000	..	47,43,75,000
60	2505—Rural Employment ..	3,69,53,89,000	..	3,69,53,89,000
61	2506—Land Reforms ..	17,44,75,000	..	17,44,75,000
62	2515—Other Rural Development Programmes (Panchayati Raj). ..	1,93,21,00,000	..	1,93,21,00,000
	D—Grants-in-Aid and Contributions			
	3604—Compensation and Assignments to Local Bodies and Panchayati Raj Institutions (Panchayati Raj).	10,75,00,000	*2,000*	10,75,02,000
	Capital Expenditure Outside the Revenue Account			
	F—Loans and Advances			
	6515—Loans for Other Rural Development Programmes (Panchayati Raj). ..	1,00,000	..	1,00,000
	Total ..	2,03,97,00,000	*2,000*	2,03,97,02,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(b) Rural Development			
63	2515—Other Rural Development Programmes (Community Development). ..	55,99,50,000	..	55,99,50,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(b) Capital Account of Rural Development			
	4515—Capital Outlay on Other Rural Development Programmes (Community Development). ..	66,00,000	..	66,00,000
	F—Loans and Advances			
	6515—Loans for Other Rural Development Programmes (Community Development). ..	19,00,000	..	19,00,000
	Total ..	56,84,50,000	..	56,84,50,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
64	**REVENUE ACCOUNT**			
	C—Economic Services			
	(c) Special Areas Programmes			
	2551—Hill Areas ..	99,41,39,000	..	99,41,39,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(c) Capital Account of Special Areas Programmes			
	4551—Capital Outlay on Hill Areas ..	89,00,000	..	89,00,000
	F—Loans and Advances			
	6551—Loans for Hill Areas ..	2,36,00,000	..	2,36,00,000
	Total ..	1,02,66,39,000	..	1,02,66,39,000
65	**REVENUE ACCOUNT**			
	C—Economic Services			
	(c) Special Areas Programmes			
	2575—Other Special Areas Programmes ..	52,03,60,000	..	52,03,60,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(c) Capital Account of Special Areas Programmes			
	4575—Capital Outlay on Other Special Areas Programmes. ..	20,25,00,000	..	20,25,00,000
	Total ..	72,28,60,000	..	72,28,60,000
66	**REVENUE ACCOUNT**			
	C—Economic Services			
	(d) Irrigation and Flood Control			
	2701—Major and Medium Irrigation ..	79,48,09,000	..	79,48,09,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4701—Capital Outlay on Major and Medium Irrigation ..	2,66,00,75,000	..	2,66,00,75,000
	Total ..	3,45,48,84,000	..	3,45,48,84,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
67	2702—Minor Irrigation ..	1,19,41,02,000	..	1,19,41,02,000
	2705—Command Area Development ..	2,00,00,000	..	2,00,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4702—Capital Outlay on Minor Irrigation ..	51,61,70,000	..	51,61,70,000
	4705—Capital Outlay on Command Area Development	70,50,000	..	70,50,000
	Total ..	1,73,73,22,000	..	1,73,73,22,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(d) Irrigation and Flood Control			
68	2711—Flood Control ..	47,80,16,000	*1,00,000*	47,81,16,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(d) Capital Account of Irrigation and Flood Control			
	4711—Capital Outlay on Flood Control Projects ..	65,75,00,000	..	65,75,00,000
	Total ..	1,13,55,16,000	*1,00,000*	1,13,56,16,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes	Sums not exceeding		
		Voted by the Legislative Assembly	Charged on the Consolidated Fund.	Total.
		Rs	*Rs*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(e) Energy			
69	2801—Power ..	57,00,00,000	..	57,00,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(e) Capital Account of Energy			
	4801—Capital Outlay on Power Projects ..	2,16,00,00,000	..	2,16,00,00,000
	F—Loans and Advances			
	6801—Loans for Power Projects ..	8,98,75,00,000	..	8,98,75,00,000
	6860—Loans for Consumer Industries ..	1,00,00,000	..	1,00,00,000
	Total ..	11,72,75,00,000	..	11,72,75,00,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(e) Energy			
72	2810—Non-Conventional Sources of Energy ..	1,12,50,000	..	1,12,50,000
	(f) Industry and Minerals			
73	2851—Village and Small Industries (Excluding Public Undertakings). ..	83,46,77,000	..	83,46,77,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
	4851—Capital Outlay on Village and Small Industries (Excluding Public Undertakings) ..	4,14,51,000	..	4,14,51,000
	F—Loans and Advances			
	6851—Loans for Village and Small Industries (Excluding Public Undertakings). ..	16,39,18,000	..	16,39,18,000
	Total ..	1,04,00,46,000	..	1,04,00,46,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(f) Industry and Minerals			
74	2852—Industries (Closed and Sick Industries) ..	74,20,000	..	74,20,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
	4858—Capital Outlay on Engineering Industries (Closed and Sick Industries). ..	50,00,000	..	50,00,000
	4860—Capital Outlay on Consumer Industries (Closed and Sick Industries). ..	70,00,000	..	70,00,000
	4875—Capital Outlay on Other Industries (Closed and Sick Industries). ..	30,00,000	..	30,00,000
	F—Loans and Advances			
	6858—Loans for Engineering Industries (Closed and Sick Industries). ..	18,15,00,000	*30,50,000*	18,45,50,000
	6860—Loans for Consumer Industries (Closed and Sick Industries). ..	22,22,00,000	..	22,22,00,000
	Total ..	42,61,20,000	*30,50,000*	42,91,70,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(f) Industry and Minerals			
75	2852—Industries (Excluding Public Undertakings and Closed and Sick Industries). ..	38,09,45,000	..	38,09,45,000
76	2853—Non-Ferrous Mining and Metallurgical Industries	2,20,85,000	..	2,20,85,000
	(g) Transport			
77	3051—Ports and Lighthouses ..	1,45,00,000	..	1,45,00,000
78	3053—Civil Aviation ..	36,72,000	..	36,72,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(g) Transport			
79	3054—Roads and Bridges ..	90,76,85,000	..	90,76,85,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(g) Capital Account of Transport			
	5054—Capital Outlay on Roads and Bridges ..	1,40,45,00,000	..	1,40,45,00,000
	Total ..	2,31,21,85,000	..	2,31,21,85,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(g) Transport			
80	3055—Road Transport ..	1,05,70,00,000	..	1,05,70,00,000
	3056—Inland Water Transport ..	23,35,000	..	23,35,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(g) Capital Account of Transport			
	5055—Capital Outlay on Road Transport ..	2,80,00,000	..	2,80,00,000
	5056—Capital Outlay on Inland Water Transport ..	3,85,00,000	..	3,85,00,000
	F—Loans and Advances			
	7055—Loans for Road Transport ..	34,70,00,000	..	34,70,00,000
	Total ..	1,47,28,35,000	..	1,47,28,35,000
	Capital Expenditure Outside the Revenue Account			
	C—Economic Services			
	(g) Transport			
	F—Loans and Advances			
81	7075—Loans for Other Transport Services ..	22,40,00,000	..	22,40,00,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	Rs.	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(i) Science, Technology and Environment			
82	3425—Other Scientific Research ..	4,80,000	..	4,80,000
	(j) General Economic Services			
83	3451—Secretariat—Economic Services ..	22,03,96,000	..	22,03,96,000
84	3452—Tourism ..	5,79,95,000	..	5,79,95,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(j) Capital Account of General Economic Services			
	5452—Capital Outlay on Tourism ..	10,00,000	..	10,00,000
	Total ..	5,89,95,000	..	5,89,95,000
	REVENUE ACCOUNT			
	C—Economic Services			
	(j) General Economic Services			
85	3454—Census, Surveys and Statistics ..	5,60,70,000	..	5,60,70,000
86	3456—Civil Supplies ..	3,93,31,000	..	3,93,31,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(j) Capital Account of General Economic Services			
87	5465—Investments in General Financial and Trading Institutions. ..	7,50,000	..	7,50,000
	F—Loans and Advances			
	7465—Loans for General Financial and Trading Institutions. ..	2,60,00,000	..	2,60,00,000
	Total ..	2,67,50,000	..	2,67,50,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs.
	REVENUE ACCOUNT			
	C—Economic Services			
	(j) General Economic Services			
88	3475—Other General Economic Services ..	4,30,40,000	..	4,30,40,000
	B—Social Services			
	(c) Water Supply, Sanitation, Housing and Urban Development			
89	2215—Water Supply and Sanitation (Prevention of Air and Water Pollution). ..	13,11,00,000	..	13,11,00,000
	D—Grants-in-Aid and Contributions			
90	3604—Compensation and Assignments to Local Bodies and Panchayati Raj Institutions (Excluding Panchayati Raj). ..	2,10,51,81,000	*8,44,000*	2,10,60,25,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(a) Capital Account of Agriculture and Allied Activities			
	4408—Capital Outlay on Food, Storage and Warehousing (Public Undertakings). ..	30,00,000	..	30,00,000
	F—Loans and Advances			
92	6857—Loans for Chemical and Pharmaceutical Industries (Public Undertakings). ..	12,86,00,000	..	12,86,00,000
	6858—Loans for Engineering Industries (Public Undertakings). ..	14,75,00,000	..	14,75,00,000
	6860—Loans for Consumer Industries (Public Undertakings). ..	2,65,00,000	..	2,65,00,000
	Total ..	30,56,00,000	..	30,56,00,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
Demand Number/ Serial Number	Services and purposes	Sums not exceeding		
		Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total.
		Rs	*Rs*	Rs
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
93	4856—Capital Outlay on Petrochemical Industries (Excluding Public Undertakings). ..	66,00,00,000	..	66,00,00,000
	4860—Capital Outlay on Consumer Industries (Excluding Public Undertakings). ..	1,18,00,000	..	1,18,00,000
	4885—Other Capital Outlay on Industries and Minerals (Excluding Public Undertakings). ..	23,59,00,000	..	23,59,00,000
	F—Loans and Advances			
	6885—Loans for Other Industries and Minerals (Excluding Public Undertakings). ..	4,70,00,000	..	4,70,00,000
	Total ..	95,47,00,000	..	95,47,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
94	4859—Capital Outlay on Telecommunication and Electronic Industries ..	10,50,00,000	..	10,50,00,000
	F—Loans and Advances			
	6859—Loans for Telecommunication and Electronic Industries ..	4,50,00,000	..	4,50,00,000
	Total ..	15,00,00,000	..	15,00,00,000
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
95	4860—Capital Outlay on Consumer Industries (Excluding Public Undertakings and Closed and Sick Industries) ..	2,75,00,000	*3,50,000*	2,78,50,000
	F—Loans and Advances			
	6857—Loans for Chemical and Pharmaceutical Industries (Excluding Public Undertakings and Closed and Sick Industries) ..	35,00,000	..	35,00,000
	6860—Loans for Consumer Industries (Excluding Public Undertakings and Closed and Sick Industries). .	18,04,00,000	..	18,04,00,000
	Total ..	21,14,00,000	*3,50,000*	21,17,50,000

The West Bengal Appropriation (No. 2) Act, 1996.

(Schedule.)

1	2	3		
		Sums not exceeding		
Demand Number/ Serial Number.	Services and purposes.	Voted by the Legislative Assembly.	Charged on the Consolidated Fund.	Total.
		Rs.	*Rs.*	Rs
	Capital Expenditure Outside the Revenue Account			
	C—Capital Account of Economic Services			
	F—Loans and Advances			
96	6875—Loans for Other Industries (Excluding Closed and Sick Industries). ..	2,70,00,000	..	2,70,00,000
	6885—Loans for Other Industries and Minerals (Excluding Closed and Sick Industries). ..	10,20,00,000	..	10,20,00,000
	Total ..	12,90,00,000	..	12,90,00,000
	C—Capital Account of Economic Services			
	(f) Capital Account of Industry and Minerals			
97	4885—Other Capital Outlay on Industry and Minerals (Excluding Public Undertakings and Closed and Sick Industries). ..	1,33,50,000	..	1,33,50,000
	E—Public Debt			
Serial 98	6003—Internal Debt of the State Government ..	..	*12,23,58,00,000*	12,23,58,00,000
	6004—Loans and Advances from Central Government	..	*3,85,53,25,000*	3,85,53,25,000
	Total ..	..	*16,09,11,25,000*	*16,09,11,25,000*
	F—Loans and Advances			
99	7610—Loans to Government Servants etc. ..	60,00,00,000	..	60,00,00,000
	7615—Miscellaneous Loans ..	2,25,00,000	..	2,25,00,000
	Total ..	62,25,00,000	..	62,25,00,000
	Grand Total ..	**1,07,11,08,75,000**	***36,40,97,40,000***	**1,43,52,06,15,000**

By order of the Governor,

S. MAITRA,

Special Officer & ex officio

Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-21**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

SRAVANA 8] TUESDAY, JULY 30, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1476-L.—30th July, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XVIII of 1996

THE WEST BENGAL REVENUE INTELLIGENCE (COLLECTION AND MONITORING OF INFORMATION) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 30th July, 1996.]

An Act to provide for the collection, compilation, analysis, preservation and monitoring of information and statistics with respect to commercial activities of trade, industry and agriculture in West Bengal and for the use of such information and statistics in framing or implementing the fiscal policy of the State of West Bengal.

WHEREAS it is expedient to provide for the collection, compilation, analysis, preservation and monitoring of information and statistics with respect to commercial activities of trade, industry and agriculture in West Bengal and for the use of such information and statistics in framing or implementing the fiscal policy of the State of West Bengal;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the West Bengal Revenue Intelligence (Collection and Monitoring of Information) Act, 1996.

The West Bengal Revenue Intelligence (Collection and Monitoring of Information) Act, 1996.

(Sections 2, 3.)

(2) It extends to the whole of West Bengal

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Definitions

2. In this Act, unless the context otherwise requires,—

(a) "appropriate authority" means—

(i) the Central Government, or

(ii) the State Government, or

(iii) an undertaking of the Central Government or the State Government, or

(iv) any local authority, or

(v) any bank or other financial institution, or

(vi) the railway administration within the meaning of the Indian Railways Act, 1890, or — 9 of 1890

(vii) the Board of Trustees for a port within the meaning of the Major Port Trusts Act, 1963, or — 38 of 1963

(viii) the authority exercising any powers or jurisdiction in, or relating to, any port to which the Indian Ports Act, 1908, for the time being applies, or — 15 of 1908

(ix) Indian Airlines, or Air-India International, within the meaning of the Air Corporations Act, 1953; — 27 of 1953

(b) "commercial activity" means any activity in relation to trade, industry or agriculture of a trading or industrial concern relating to purchase, sale, manufacture, or processing, of goods, and includes import of goods into West Bengal or despatch of goods to any place outside West Bengal;

(c) "Director" means the Director of Revenue Intelligence appointed under clause (a) of sub-section (1) of section 3;

(d) "notification" means a notification published in the *Official Gazette*;

(e) "prescribed" means prescribed by rules made under this Act.

Authorities and their jurisdiction

3. (1) (a) For carrying out the purposes of this Act, the State Government may appoint a person to be the Director of Revenue Intelligence, together with such other persons to assist him as it thinks fit, and may specify the area or areas over which they shall exercise jurisdiction:

Provided that the State Government may authorise the Director to appoint such persons to assist him as he thinks fit and to specify the area or areas over which they shall exercise jurisdiction.

(b) The State Government may appoint any person, not being the Director, appointed under clause (a), to be a Revenue Intelligence Officer

(2) Persons appointed under sub-section (1) shall exercise such powers as may be conferred, and perform such duties as may be required, by or under this Act.

(3) Notwithstanding anything to the contrary contained in sub-section (1), the Director may transfer any case or matter from any person appointed under sub-section (1) to assist him to any other person so appointed, whether such other person has jurisdiction over the area to which the case or matter relates or not, provided he is otherwise competent to deal with such case or matter in exercise or performance of the powers or duties referred to in sub-section (2).

(4) All persons appointed under sub-section (1) shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. — 45 of 1860

The West Bengal Revenue Intelligence (Collection and Monitoring of Information) Act, 1996.

(Sections 4-7.)

Information and statistics to be collected from appropriate authority.

4. Notwithstanding anything contained in any other law for the time being in force, for the purposes of this Act, the Director or the persons appointed under sub-section (1) of section 3 shall collect from the appropriate authority information or statistics, if any, in respect of—

(a) any commercial activity of the appropriate authority, or

(b) any activity of any organization or concern about which the appropriate authority generates or maintains such information or statistics.

Power to call for statement and information and right of access to records or documents.

5. (1) The Director, or any person appointed under sub-section (1) of section 3 and competent to do so, may serve or cause to be served, in the manner prescribed, a notice on the appropriate authority requiring it to furnish such statement as may be specified therein relating to any matter in respect of which statistics are to be collected, and may also call for any information in connection therewith or incidental thereto.

(2) The statement and information shall be furnished in such form, to such authority and at such intervals as may be specified in the notice under sub-section (1).

(3) Where a periodical statement is not required, information relating to any matter in respect of which statistics are to be collected shall be furnished within such time as may be specified in the notice under sub-section (1).

(4) The Director, or any person appointed under sub-section (1) of section 3, not below such rank and subject to such conditions as may be prescribed, shall, for the purpose of collection of any information or statistics under this Act, have access to any record or document in the possession of the appropriate authority, and may enter at any time during the day any premises where he believes such records or documents are kept, and may inspect, or take copies of, such records or documents or ask such competent person as may be present at such premises any question necessary for obtaining any information required to be furnished under this Act.

(5) In requiring the production of any records or documents under this section, due regard shall be had in not disturbing the business of the appropriate authority beyond such period as may be deemed necessary.

Disposal of information and statistics collected by Director

6. (1) The Director may, after collection of necessary information under section 5, compile and analyse the information and also statistics, if any, and send such report—

(a) to the State Government at such intervals as may be prescribed, and

(b) to such authority as he deems necessary.

(2) When the authority referred to in clause (b) of sub-section (1) makes any request to the Director to supply certain information relating to any tax or duty imposed by, and payable to, the State Government, the Director may collect such information and supply the same to it in such manner and within such time as he may deem fit. He shall also send a copy of the said report to the State Government.

Offences and penalties.

7. If any person—

(a) required to furnish any statement, information or statistics under this Act,—

(i) wilfully refuses or, without lawful excuse, neglects to furnish such statement, information or statistics, or

(ii) wilfully furnishes, or causes to be furnished, any statement, information or statistics which he knows to be false, or

(iii) refuses to answer, or wilfully gives a false answer, to any question necessary for obtaining any information or statistics, or

(b) impedes the right of access to any records or documents, or the right to enter any premises, under section 5,

he shall be punishable with fine which may extend to five hundred rupees and, in the case of a continuing offence, to a further fine which may extend to two hundred rupees for each day during the period of continuance of the offence.

The West Bengal Revenue Intelligence (Collection and Monitoring of Information) Act, 1996.

(Sections 8-11.)

Liability to prosecution

8. Where an offence under section 7 has been committed, every person, who, at the time the offence was committed, was in charge of the records or documents as aforesaid, shall be deemed to be guilty of such offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

Statement, information, etc., to be confidential.

9. (1) Every statement, information or statistics furnished under this Act, shall, save as otherwise provided in sub-section (2), be treated as confidential.

(2) Nothing in this section shall apply to the disclosure of any statement, information or statistics referred to in sub-section (1)—

(a) for the purposes of prosecution under the Indian Penal Code, the Prevention of Corruption Act, 1988, or this Act, or — 45 of 1860 49 of 1988.

(b) where it is necessary to make such disclosure for the purposes of this Act, or

(c) to an officer of the State Government or the Central Government for the purposes of levy, collection or realisation of any tax or duty.

(3) No statement, information or statistics or any part thereof in respect of the appropriate authority or any organization or concern, obtained from the appropriate authority for the purposes of this Act, shall, without the previous consent in writing of the person for the time being in charge thereof, be published in such manner as would enable such statement, information or statistics to be identified as the statement, information or statistics of the appropriate authority or such organization or concern.

(4) Save as otherwise provided in sub-section (2) or sub-section (3), if any Government employee discloses any statement, information or statistics referred to in sub-section (1), he shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine.

Protection of action taken in good faith.

10. No suit, prosecution or other legal proceedings shall lie against any Government servant for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

Power to make rules.

11. (1) The State Government may, by notification, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which under any provision of this Act are required to be prescribed or to be provided for by rules.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-22**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

SRAVANA 8] TUESDAY, JULY 30, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1477-L.—30th July, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XIX of 1996

THE WEST BENGAL BUILDING TAX ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 30th July, 1996.]

An Act to provide for the levy, collection, enforcement and recovery of building tax and for matters connected therewith or incidental thereto.

WHEREAS it is expedient to provide for the levy, collection, enforcement and recovery of building tax and for matters connected therewith or incidental thereto;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title, extent and commencement

1. (1) This Act may be called the West Bengal Building Tax Act, 1996.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint, and different dates may be appointed for different provisions of this Act.

The West Bengal Building Tax Act, 1996.

(Section 2.)

Definitions

2. In this Act, unless the context otherwise requires,—

(a) "annual value", in relation to any year, means—

(i) the cost of construction of a building or part thereof with fittings and fixtures, including the market value of the land or the proportionate market value of the land if such land relates to any part of a building, or

(ii) in the case where transfer of ownership or delivery of possession of any building or part thereof is made otherwise than by way of a registered instrument, the market value of such building,

excluding such amount of depreciation and cost of repair or maintenance of the building as may be prescribed.

Explanation.—"Any year" shall mean the year during which a building or part thereof is constructed or during which the ownership or possession of a building or part thereof is transferred or delivered, as the case may be;

(b) "building" means any house or structure of masonry or bricks, constructed wholly or partly, with four or more storeys including the ground floor, on any land—

(i) owned by any person, or

(ii) held by any person in his possession or control under the authority, or with the permission, of the owner of the land,

where such house or structure has been constructed on or after the 1st day of April, 1980, by a person or where such house or structure has been in occupation or possession of, or in use by, a person on or after the 1st day of April, 1980;

(c) "building tax" means the tax levied under section 4;

(d) "Bureau" means the Bureau of Investigation referred to in section 7 of the West Bengal Sales Tax Act, 1994; West Ben. Act XLIX of 1994.

(e) "owner" means any person,—

(i) who has constructed a building in his own name or in the name of any other person under the authority of such person for the purpose of transfer of the possession, or ownership, of such building or part thereof, otherwise than by way of any instrument registered under the Registration Act, 1908, and where such person does not use or occupy the building or part thereof himself, or 16 of 1908.

(ii) who is in occupation or possession of such building or part thereof, or who uses such building or part thereof, and delivery or transfer of such possession, or ownership, of such building or part thereof, has been made to him, otherwise than by a conveyance referred to in clause (10) of section 2 of the Indian Stamp Act, 1899, and registered under the Registration Act, 1908, 2 of 1899.

but does not include any person who is in possession of such building or part thereof, or who uses such building or part thereof, as a *bonafide* tenant;

(f) "period" means the period of time commencing on or after the date of coming into force of this Act during which a person continues to be the owner of a building or part thereof;

(g) "prescribed" means prescribed by rules made under this Act;

(h) "year" means the financial year.

The West Bengal Building Tax Act, 1996.

(Sections 3-6.)

Taxing authoritites.

3. (1) For carrying out the purposes of this Act, the State Government, by notification published in the *Official Gazette*, shall prescribe an authority (hereinafter referred to as the prescribed authority), and may appoint such officers to assist the prescribed authority and to exercise jurisdiction, powers and authority over such area or areas, as may be specified therein.

(2) Subject to such restrictions and conditions as may be prescribed, the prescribed authority may, by an order in writing, delegate any of its powers and authority under this Act, except the power under sub-section (4) of section 20, to any other officers appointed under sub-section (1) to assist it.

(3) The officers appointed under sub-section (1) to assist the prescribed authority shall exercise such powers and authority, and perform such duties, of the prescribed authority under this Act as may be delegated to them under sub-section (2).

(4) Notwithstanding anything to the contrary contained in sub-section (1), the prescribed authority may transfer any case or matter from any officer appointed under sub-section (1) to assist the prescribed authority, whether such officer has jurisdiction over the area to which the case or matter relates or not, provided such officer is otherwise competent to deal with the case or matter in exercise of the powers, or in performance of the duties, referred to in sub-section (2).

(5) The prescribed authority may transfer to, or withdraw to himself from, any officer any case or matter which any other officer appointed under sub-section (1) to assist the prescribed authority is competent to deal with in exercise of the powers and authority delegated to him under sub-section (2) or transfer from any such officer any such case or matter to any other officer appointed under sub-section (1), who is otherwise competent to deal with such case or matter under sub-section (2), to deal with such case or matter.

(6) The prescribed authority and the officers appointed under sub-section (1) shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

Liability to pay building tax.

4. Every owner within the meaning of sub-clause (i), or sub-clause (ii), as the case may be, of clause (e) of section 2 of a building or part thereof shall be liable to pay a building tax at the rate of five *per centum* of the annual value of such building or part thereof, for the period during which such person continues to be the owner of such building or part thereof.

Declaration for determination of annual value of building.

5. Every owner within the meaning of sub-clause (i) or sub-clause (ii), as the case may be, of clause (e) of section 2, of a building or part thereof shall furnish a declaration in such Form, in such manner, and within such period as may be prescribed,—

(i) in the case where such building or part thereof has been constructed by him, with respect to the amount of the cost of construction of such building or part thereof including the market value of the land, if he does not use himself, or is not in occupation or possession of, such building or part thereof, or

(ii) in the case where transfer of ownership or possession of a building or part thereof has been made or delivered to him, otherwise than by a registered instrument, with respect to the market value of such building,

for determination of annual value under section 6.

Determination of annual value of building and tax payable.

6. (1) The prescribed authority shall, on receipt of the declaration referred to in section 5, or on the basis of information received by him, determine in such manner as may be prescribed the annual value of a building or part thereof and the amount of the building tax payable by the owner for the period during which he continues to be the owner of such building or part thereof, after giving him a reasonable opportunity of being heard.

The West Bengal Building Tax Act, 1996.

(Sections 7-11.)

(2) The prescribed authority shall, in such manner as may be prescribed, demand, by a notice, from the owner of a building or part thereof the amount of the building tax determined under sub-section (1) for the period during which such person continues to be the owner of such building or part thereof.

(3) On the service of notice upon the owner of a building or part thereof under sub-section (2), the amount of building tax, if not paid within the prescribed time, shall be a charge upon the building or part thereof of the defaulting owner and every other charge created subsequent to the service of the notice under sub-section (2) shall be postponed.

Payment of tax.

7. (1) Every owner of a building or part thereof shall make payment of the building tax by such time and after such intervals as may be prescribed into the Reserve Bank of India or a Government Treasury and a receipted challan showing the payment of such tax in respect of a period or part thereof shall be furnished to the prescribed authority in such manner as may be prescribed.

(2) If the owner fails to make payment of tax referred to in sub-section (1) within the prescribed time, such tax shall be recoverable as an arrear of land revenue.

Refund of tax.

8. Where any owner proves to the satisfaction of the prescribed authority, upon application made by him within one year from the date of payment of the tax by him, that a tax in respect of the building or part thereof has been paid by him in excess of what is payable under section 6, the amount of the excess tax so paid by him shall be refunded to him in the prescribed manner.

Maintenance of records

9. (1) Every owner shall maintain and keep true and upto date records or documents in respect of the construction, its plan, and cost of construction, repair or maintenance of a building or part thereof incurred by him, or in respect of the valuable consideration for transfer of the building or part thereof to him for his occupation or use.

(2) The records or documents referred to in sub-section (1) shall at all reasonable time be open to inspection by the prescribed authority.

(3) The prescribed authority may, subject to such conditions and restrictions as may be prescribed, require any person to produce, and explain, any of the records or documents in respect of any building or part thereof.

Power to inspect building

10. The prescribed authority or any officer appointed under sub-section (1) of section 3 to assist it may, subject to such restrictions and conditions as may be prescribed and upon information received or otherwise that the owner of a building or part thereof is attempting to evade tax under this Act, enter such building or part thereof for inspection, or any place where the owner is suspected to have concealed any records or documents in respect of such building or part thereof, in order to collect material information with respect to possible annual value of such building or part thereof if such building or part thereof is liable to tax under this Act.

Power to make seizure of records.

11. Where the prescribed authority or any officer appointed under sub-section (1) of section 3 has reasons to believe that a person is attempting to evade payment of tax payable in respect of any building or part thereof under this Act, such authority or officer may, after recording such reasons in writing, seize the records or documents referred to in sub-section (1) of section 9 in respect of such building or part thereof upon granting receipt for the records or documents seized:

Provided that the prescribed authority or the officer shall not retain, or authorise the retention of, any of the records or documents seized for a period exceeding six months from the date of seizure unless it or he records, in writing, the reasons therefor.

The West Bengal Building Tax Act, 1996.

(Sections 12- 17.)

Bureau

12. (1) The Bureau may, on information, or when the State Government or the prescribed authority so directs, carry out investigation or hold inquiry into any case of alleged or suspected evasion of tax as well as malpractices connected therewith and a report of such investigation or inquiry shall be sent to the State Government or the prescribed authority, as the case may be.

(2) The Bureau may, for the purpose of carrying out investigation or holding inquiry under sub-section (1), exercise all the powers of the prescribed authority under section 10 and section 11.

Appeal

13. (1) Any person or owner aggrieved by any order passed or action taken under this Act may, in such manner and by such time as may be prescribed, apeal to such authority as may be prescribed (hereinafter referred to as the appellate authority):

Provided that no appeal shall be entertained by the appellate authority unless it is satisfied that the appellant has paid such amount of tax as he admits to be due from him.

(2) The appellate authority may, in its discretion, pending disposal of an appeal, stay recovery of tax due from an owner on such terms and conditions as may be specified in his stay order.

Review.

14. Subject to such rules as may be made by the State Government, any order passed under this Act by the prescribed authority or any officer appointed under sub-section (1) of section 3, may be reviewed by the prescribed authority or the person passing it, upon application or on its or his own motion.

Suo motu revision.

15. Subject to such rules as may be made by the State Government, the prescribed authority may, on its own motion, revise any order passed by any officer appointed under sub-section (1) of section 3 to assist the prescribed authority.

Power of taking evidence on oath

16. The prescribed authority or any officer appointed under sub-section (1) of section 3 shall, for the purposes of this Act, have the same powers as are vested in a court when trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters:— 5 of 1908

(a) enforcing the attendance of any person and examining him on oath and affirmation,

(b) compelling production of records or documents, and

(c) issuing commissions for the examination of any witness,

and any proceeding including inquiry or investigation under this Act before the prescribed authority or any officer appointed under sub-section (1) of section 3 to assist the prescribed authority shall be deemed to be a judicial proceeding within the meaning or section 193 and section 228, and for the purposes of section 196, of the Indian Penal Code. 45 of 1860.

Power of State Government to exempt from payment of tax.

17. Where the State Government is satisfied that the delivery of possession of a building or part thereof has been made to any owner by a registered instrument within one year from the date of construction or delivery of possession thereof, as the case may be, or from the date of commencement of this Act, whichever is later, or if the State Government considers it expedient in the public interest, that Government may, by notification published in the *Official Gazette*, or by a special order, exempt such class or classes of owners of such buildings or parts thereof or such class or classes of buildings or parts thereof occupied or used by such class or classes of owners, for such occupation or use of such buildings or parts thereof or for such period or periods as may be specified therein, from payment of tax under this Act.

The West Bengal Building Tax Act, 1996.

(Sections 18-21.)

Indemnity of Government servant.

18. No suit, prosecution or other legal proceedings shall lie against any Government servant for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

Bar to proceedings in civil court

19. No order passed or action taken against any person under this Act or the rules made thereunder by the prescribed authority or any officer appointed under sub-section (1) of section 3 to assist the prescribed authority shall be called into question in any civil court and no appeal or application for revision shall lie against any order passed under this Act or the rules made thereunder in any civil court.

Offences and penalties.

20. (1) (a) Whoever fails to make payment of tax under section 7 by the date prescribed, shall be punishable with simple imprisonment for three years, or with fine not exceeding ten thousand rupees, or with both.

(b) The offence punishable under this sub-section shall be cognizable and non-bailable.

(2) Whoever—

(i) furnishes false declaration referred to in section 5, or

(ii) fails to furnish declaration referred to in section 5 within the prescribed time, or

(iii) fails to produce or explain the records or documents under section 9, or

(iv) obstructs the prescribed authority or any officer appointed under sub-section (1) of section 3 to assist the prescribed authority from entering any building for inspection under section 10,

shall be punishable with simple imprisonment which may extend to two years, or with fine not exceeding ten thousand rupees, or with both.

(3) Whoever obstructs the prescribed authority or any officer appointed under sub-section (1) of section 3 to assist it or any officer of the Bureau while making inspection under section 10 or seizure of records or documents under section 11 shall be punishable with imprisonment of either description which shall not be less than three months but which may extend to two years or with fine not exceeding ten thousand rupees or with both.

(4) Any offence punishable under sub-section (2) or sub-section (3) shall be cognizable and bailable.

(5) No court shall take cognizance of any offence under this Act or the rules made thereunder except with the previous sanction of the prescribed authority, and no court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate shall try such offence.

Power to make rules

21. (1) The State Government may, by notification published in the *Official Gazette*, make rules prospectively or retrospectively for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which are required to be prescribed or to be provided for by rules.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-23**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

SRAVANA 22] TUESDAY, AUGUST 13, 1996 [SAKA 1918

PART IIII—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1610-L.—13th August, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XX of 1996

THE DARJEELING GORKHA HILL COUNCIL (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 13th August, 1996.]

An Act to amend the Darjeeling Gorkha Hill Council Act, 1988.

WHEREAS it is expedient to amend the Darjeeling Gorkha Hill Council Act, 1988, for the purpose and in the manner hereinafter appearing; West Ben Act XIII of 1988

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the Darjeeling Gorkha Hill Council (Amendment) Act, 1996.

(2) It shall come into force at once.

The Darjeeling Gorkha Hill Council (Amendment) Act, 1996.

(Section 2.)

Insertion of new section 18A in West Ben Act XIII of 1988

2. After section 18 of the Darjeeling Gorkha Hill Council Act, 1988 (hereinafter referred to as the principal Act), the following section shall be inserted:—

'Disqualification on change of political party by Councillors

18A. (1) Notwithstanding anything to the contrary contained in this Act or in any other law for the time being in force, the prescribed authority for the General Council (hereinafter referred to as the prescribed authority) may, subject to the other provisions of this section, declare, for reasons to be recorded in writing, a Councillor to be disqualified for being a Councillor thereof, if—

(a) he is an elected Councillor set up by a recognised political party and has—

(i) voluntarily given up his membership of such recognised political party, or

(ii) exercised the voting right contrary to the manner of voting of the majority Councillors set up by such recognised political party; or

(b) he is an elected Councillor not set up by any recognised political party and has joined a recongnised political party on the expiry of six months from the date of election:

Provided that the prescribed authority shall not declare any Councillor to be disqualified under this section without giving to such Councillor a reasonable opportunity to represent his case and to be heard in person:

Provided further that an elected Councillor referred to in sub-clause (ii) of clause (a) shall not, on the prescribed authority being satisfied in this behalf, be declared to be disqualified if—

(a) the action of such Councillor was taken on obtaining prior permission of, or was condoned by, such recognised political party, or

(b) such Councillor claims that he and any other Councillor of such recognised political party constitute a group representing a faction consisting of not less than one-third of the total number of Councillors set up by such recognised political party in the General Council and that all the Councillors set up by such group have voluntarily given up their councillor ship of such recognised political party, or

(c) the former recognised political party of the Councillor merges with another recognised political party,and he claims that he and other Councillors of his former recognised political party—

(i) have become Councillors of such other recognised political party or of a new recognised political party formed out of merger, as the case may be ,or

(ii) have not accepted the merger, and from the time of such merger, he and such other Councillors constituting not less than one third of the total number of members set up by the former recognised political party in the General Council, have opted to remain members of the former recognised political party or have formed a new recognised political party.

(2) On being declared to be disqualified under sub-section (1), a Councillor shall, subject to the provisions of sub-section (12), stand removed from the General Council from the date of such declaration.

(3) As soon as may be within one month from the date of the first meeting of a General Council or within one month from the date on which this section comes into force, as the case may be, elected Councillors set up by the recognised political parties shall, by adopting a resolution, select one Councillor from amongst themselves

The Derjeeling Gorkha Hill Council (Amendment) Act, 1996.

(Section 2.)

to be the Leader and such Leader shall, within fifteen days from the date of such selection, furnish to the prescribed authority referred to in sub-section (1)—

(i) a copy of the resolution,

(ii) a signed statement containing the names, addresses and constituencies of himself and other members set up by such recognised political party, and

(iii) a copy of a set of rules and regulations, if any, by whatever name called, of such recognised political party:

Provided that an office-bearer may also hold the office of the Leader.

(4) Where there is only one elected Councillor set up by a recognised political party in a General Council, he shall furnish the documents referred to in sub-section(3) in relation to himself:

Provided that in the event of any increase in the number of Councillors of such recognised political party, the provisions of sub-section (3) shall apply as if the first meeting of the General Council was held or this section came into force, as the case may be, on the date on which such increase took place.

(5) A Councillor not belonging to any recognised political party shall furnish a statement to that effect to the prescribed authority referred to in sub-section (1) within one month from the date of the first meeting of the General Council.

(6) In the event of any change of the information furnished under sub-section (3), sub-section (4) or sub-section (5), the Leader or the member, as the case may be, shall, as soon as may be within fifteen days from the date of such change, furnish in writing such change of information to the prescribed authority referred to in sub-section (1).

(7) The Leader of any recongnised political party referred to in sub-section (3) may at any time file a petition endorsed by the General Secretary, or, if there is no General Secretary, the Secretary, of the district unit of such recognised political party to the prescribed authority referred to in sub-section (1), stating that—

(a) one or more member of such recognised political party have—

(i) voluntarily given up his or their membership of such recognised political party, or

(ii) have exercised the voting right contrary to the manner of voting of the majority members set up by such recognised political party in the General Council, or

(b) the member referred to in sub-section (4) has voluntarily given up his membership of the recognised political party that set him up, or

(c) the member referred to in sub-section (5) has joined a recognised political party on the expiry of six months from the date of election, and that such member of members should be declared to be disqualified under sub-section (1) and should be removed from the General Council.

(8) Every petition referred to in sub-section (7)—

(a) shall contain a concise statement of the material facts on which the petitioner relies, and

(b) shall be accompanied by copies of the documentary evidence, if any, on which the petitioner relies and, where the petitioner relies on any information furnished to him by any person or persons, a statement containing the names and addresses of such person or persons and the gist of such information as furnished by such person or each of such persons.

(9) On receipt of the petition referred to in sub-section (7), the prescribed authority referred to in sub-section (1) shall, as soon as possible within six weeks from the date of the receipt of such petition, proceed to make any enquiry to satisfy himself, among others, as to—

(a) the common decision in regard to the manner of voting to be exercised by the majority members set up by the recognised political party, and

(b) whether the member or members against whom such petition is field, exercised the voting right, in a meeting of the General Council contrary to such manner of voting.

The Darjeeling Gorkha Hill Council (Amendment) Act, 1996.

(Section 2.)

(10) For the purpose of enquiry under sub-section (9), the prescribed authority may summon such members of the recognised political party or other persons, and require such signed statements from, and production of such documents and records by, the member or other persons as aforesaid, as he may deem necessary.

(11) As soon as possible within eight weeks from the date of receipt of the petition referred to in sub-section (7), the prescribed authority shall, in consideration of the facts and the documents and the records before it,—

(a) reject the petition, or

(b) admit the petition wholly or in part and declare any Councillor or Councillors to be disqualified under sub-section (1) for being Councillor.

(12) Any Councillor declared disqualified under sub-section (1) or the Leader of the recognised political party referred to in sub-section (7), if aggrieved by the decision of the prescribed authority, may, within thirty days from the date of the order, appeal to such authority as the State Government may appoint in this behalf, and, thereupon, the authority so appointed may stay the operation of the order till the disposal of the appeal and may, after giving notice of the appeal to the prescribed authority, and after giving the appelant an opportunity of being heard, set aside or confirm the order or declare under sub-section (1) any Councillor or Councillors to be disqualified for being Councillor or Councillors.

(13) The order passed by the authority appointed under sub-section (12) on the appeal shall be final.

(14) Notwithstanding anything to the contrary contained in this Act or in any other law for the time being in force, no court shall have any jurisdiction in respect of any matter arising out of a Councillor being declared to be disqualified under sub-section (1) for being a Councillor.

(15) The State Government may, by notification published in the *Official Gazette*, make rules for carrying out the purposes of this section.

Explanation I.—For the purposes of this section, an elected Councillor shall be deemed to be set up by a recognised political party if he has contested election with symbol reserved for such recognised political party or if he has contested election with a free symbol and joins a recognised political party and furnishes a declaration to that effect to the prescribed authority before the expiry of six months from the date of election.

Explanation II.—"Prescribed authority for the General Council" shall mean an authority appointed by the State Government by notification published in the *Official Gazette* for the purposes of this section.'.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-III)/96/SAR-24

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

SRAVANA 22] TUESDAY, AUGUST 13, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1612-L.—13th August, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XXI of 1996

THE BIDHAN CHANDRA KRISHI VISWAVIDYALAYA (SECOND AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 13th August, 1996.]

An Act to amend the Bidhan Chandra Krishi Viswavidyalaya Act, 1974.

WHEREAS it is expedient to amend the Bidhan Chandra Krishi Viswavidyalaya Act, 1974, for the purposes and in the manner hereinafter appearing; West Ben. Act XLIX of 1974.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the Bidhan Chandra Krishi Viswavidyalaya (Second Amendment) Act, 1996.

(2) It shall be deemed to have come into force on the date on which the Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1996, ceased to operate. West Ben. Ord. III of 1996.

The Bidhan Chandra Krishi Viswavidyalaya (Second Amendment) Act, 1996.

(Sections 2, 3.)

Amendment of section 2 of West Ben. Act XLIX of 1974.

2. In section 2 of the Bidhan Chandra Krishi Viswavidyalaya Act, 1974 (hereinafter referred to as the principal Act),—

(1) in clause (2), for the words "crop and livestock production, veterinary and dairy sciences, fisheries,", the words "terrestrial and aquatic crop and animal production," shall be substituted;

(2) after clause (3), the following clauses shall be inserted:—

'(3a) "Associate Dean" means the Head of the teaching wing of a campus;

(3b) "Associate Director of Research" means the Head of a research wing of a campus or regional station;';

(3) after clause (4), the following clause shall be inserted:—

'(4a) "campus" means the centre, other than the main campus, imparting teaching at degree level or above and having any research or extension function;';

(4) clause (6) shall be omitted;

(5) after clause (8), the following clause shall be inserted:—

'(8a) "main campus" means the principal seat of the University at Mohanpur under police station Haringhata in the district of Nadia, in West Bengal where the academic, administrative, research, extension education and farm establishments are situated for the purpose of teaching, research and extension education functions;';

(6) clause (12) shall be omitted;

(7) after clause (12), the following clause shall be inserted:—

'(12a) "regional station" means the research or extension station under the University;'.

Amendment of section 3.

3. In section 3 of the principal Act,—

(1) in sub-section (2),—

(a) under the heading "(i) *ex officio members*",—

(i) clause (c) shall be omitted;

(ii) for clause (h), the following clause shall be substituted:—

"(h) the Secretary, Department of Food Processing Industries, Government of West Bengal;";

(iii) after clause (j), the following clause shall be inserted:—

"(j1) the Campus Director;";

(iv) for clause (m), the following clause shall be substituted:—

"(m) the Director of Horticulture, Government of West Bengal;";

(v) for clause (n), the following clause shall be substituted:—

"(n) the Director of Agricultural Engineering, Government of West Bengal;";

(vi) clause (o) shall be omitted;

(vii) in clause (q), after the word "Extension", the word "Education" shall be inserted;

(viii) after clause (q), the following clauses shall be inserted:—

"(q1) the Director of Farms;

(q2) the Librarian;

(q3) the Registrar:";

(ix) in the proviso,—

(a) for the words, letters and brackets "in clauses (c) to (h) and (l) to (n)", the words, letters and brackets "in clauses (c), (d), (f), (g), (h), (m) and (n)" shall be substituted;

(b) after the words "Additional Director", the words "or Joint Director" shall be inserted;

(b) under the heading "(ii) *nominated members*", clause (s) shall be omitted;

(c) under the heading "(iii) *elected members*",—

(i) in clause (w), for the words "regular students of the Faculty.", the words "regular students at undergraduate, post-graduate and doctoral levels of the Faculty of whom one shall be from the post-graduate or doctoral level." shall be substituted;

(ii) in clause (x), for the words "one person", the words "two persons" shall be substituted;

The Bidhan Chandra Krishi Viswavidyalaya (Second Amendment) Act, 1996.

(Sections 4-6.)

(2) in sub-section (3a), for the words "three years,", the words "four years," shall be substituted.

Amendment of section 5.

4. In clause (1) of section 5 of the principal Act, for the words "veterinary and animal sciences, fisheries,", the words "agricultural processing engineering, terrestrial and acquatic animal sciences," shall be substituted.

Amendment of section 10.

5. In section 10 of the principal Act,—

(1) in sub-section (2),—

(a) under the heading "(a) *ex officio members*",—

(i) after clause (iii), the following clauses shall be inserted:—

"(iiia) the Director of Research;

(iiib) the Director of Extension Education;";

(iiic) The Registrar;";

(ii) for clause (v), the following clauses shall be substituted:—

"(v) the Secretary, Department of Food Processing Industries, Government of West Bengal;

(va) the Campus Director;";

(iii) for clause (vii), the following clauses shall be substituted:—

"(vii) the Secretary, Department of Education, Government of West Bengal;

(viia) the field-worker elected to the Court;

(viib) the officer elected to the Court:";

(b) under the heading "(c) *elected members*",—

(i) in clause (xii),—

(a) after the words "from each Faculty", the words "having not more than one hundred Teachers," shall be inserted, and

(b) the following proviso shall be added at the end:—

"Provided that in the case of a Faculty having additional one hundred Teachers, one more Teacher in any rank from such Faculty shall be elected jointly by the Teachers of the Faculty;";

(ii) in clause (xiii), after the words "one post-graduate student", the words and brackets "or student at doctoral level (Doctor of Philosophy)" shall be inserted;

(iii) for clause (xiv), the following clause shall be substituted:—

"(xiv) one member of the non-teaching staff to be elected jointly by such members of the non-teaching staff, field worker and officer as are members of the Court from amongst themselves;";

(iv) after clause (xiv), the following clause shall be inserted:—

'(xv) one member of the West Bengal Legislative Assembly from amongst the members elected under clause (bb) under the heading "(iii) *elected members*" of sub-section (2) of section 3, to be elected by the members of the West Bengal Legislative Assembly.';

(2) in sub-section (3), for the words "non-member Secretary", the word "Member-Secretary" shall be substituted;

(3) in sub-section (4), for the words "three years,", the words "four years," shall be substituted.

Amendment of section 12.

6. In section 12 of the principal Act,—

(1) in sub-section (1),—

(a) for clause (b), the following clause shall be substituted:—

"(b) the Faculty Council for Post-graduate and Undergraduate Studies in Horticulture;";

(b) after clause (b), the following clauses shall be inserted:—

"(c) the Faculty Council for Post-graduate and Undergraduate Studies in Agricultural Engineering;

(d) such other Faculty Council as the University may, with the prior approval of the State Government, establish.";

The Bidhan Chandra Krishi Viswavidyalaya (Second Amendment) Act, 1996.

(Sections 7, 8.)

(2) in sub-section (2),—

(a) after clause (i), the following clause shall be inserted:—

"(ia) the Dean of the Faculty, Vice-Chairman;";

(b) after clause (iv), the following clauses shall be inserted:—

"(iva) the Campus Director;

(ivb) the Associate Dean;";

(3) after sub-section (4), the following sub-section shall be inserted:—

"(5) The term of office of the elected or nominated members of a Faculty Council for Post-graduate and Undergraduate Studies shall be four years.".

Amendment of section 13.

7. In sub-section (2) of section 13 of the principal Act, for the words, figures and brackets "clauses (iv), (v), (vii), (viii) and (xiv)", the words, figures and brackets "clauses (iv) and (v)" shall be substituted.

Amendment of section 14.

8. In section 14 of the principal Act,—

(1) in sub-section (1), for the words "Veterinary and Animal Sciences,", the words "Horticulture and Agricultural Engineering," shall be substituted;

(2) in sub-section (3),—

(a) in clause (a), after the words "which shall", the words "meet at least twice a year and shall" shall be inserted;

(b) in clause (b), after the words "The Head of the Department", the words "shall hold office as such for a term of four years and" shall be inserted;

(3) after sub-section (3A), the following sub-sections shall be inserted:—

"(3B) (a) There shall be a Departmental Committee which shall consist of the following:—

(i) the Head of the Department;

(ii) all Professors;

(iii) two Readers of the main campus to be elected by the teachers of the Department;

(iv) two Lecturers of the main campus to be elected by the teachers of the Department;

(v) one representative of the campus to be elected by the teachers of the campus only.

(b) The Head of the Department shall be the Chairman of the Departmental Committee.

(c) The Departmental Committee shall advise the Head of the Department and shall act on behalf of the Board of Studies for such departmental activities as may be deemed necessary for running the academic Department but shall not so act in respect of the powers and duties referred to in clauses (i) to (iv), clause (xiii), clause (xvii) and clause (xviii) of sub-section (3A).

(3C) (a) There shall be a Campus Management Committee which shall consist of the following:—

(i) the Campus Director;

(ii) the Associate Dean;

(iii) the Associate Director of Research;

(iv) all Professors, if any;

(v) two Readers to be elected by the teacher-members of the Campus;

(vi) two Lecturers to be elected by the teacher-members of the Campus;

(vii) one member of the non-teaching staff to be elected jointly by non-teaching staff and field workers of the Campus;

(viii) the person in charge of students' welfare.

(b) The Campus Director shall be the Chairman of the Campus Management Committee.

The Bidhan Chandra Krishi Viswavidyalaya (Second Amendment) Act, 1996.

(Sections 9-13.)

(c) The Campus Management Committee shall advise the Campus Director.

(3D) (a) There shall be a Regional Station Management Committee which shall consist of the following:—

(i) the Head of the regional station;

(ii) all Professors, if any;

(iii) two Readers to be elected by the teacher-members of the regional station;

(iv) two Lecturers to be elected by the teacher-members of the regional station;

(v) one member of the non-teaching staff to be elected jointly by non-teaching staff and field workers of the regional station.

(b) The Head of the regional station shall be the Chairman of the Regional Station Management Committee.

(c) The Regional Station Management Committee shall advise the Head of the regional station on the functioning aspects of teaching wing, research wing, and extension wing, if he is present in the regional station, and also on the administrative matters of the regional station.".

Amendment of section 14A.

9. In sub-section (1) of section 14A of the principal Act,—

(1) clause (iv) shall be omitted;

(2) after clause (vi), the following clauses shall be inserted:—

"(via) the Deans of the Faculty for Post-graduate and Undergraduate Studies;

(vib) the Director of Research;

(vic) the Director of Extension Education;

(vid) the Director of Farms;

(vie) the Registrar;".

Amendment of section 18.

10. In section 18 of the principal Act, after clause (9), the following clauses shall be inserted:—

"(9A) the Director of Farms,

(9B) the Campus Director,".

Amendment of section 26.

11. For sub-section (4) of section 26 of the principal Act, the following sub-section shall be substituted:—

"(4) The Dean shall hold office for a term of four years.".

Amendment of section 29.

12. In section 29 of the principal Act,—

(1) in the marginal note, after the word "Extension", the word "Education" shall be inserted;

(2) in sub-section (1), after the word "Extension", the word "Education" shall be inserted;

(3) in sub-section (2), after the word "Extension", the word "Education" shall be inserted;

(4) in sub-section (3), after the word "Extension", the word "Education" shall be inserted.

Insertion of new section 29A.

13. In chapter IV of the principal Act, after section 29, the following section shall be inserted:—

"The Campus Director.

29A. (1) There shall be a Campus Director who shall be a whole-time officer of the University. He shall be responsible to the Vice-Chancellor and shall perform such functions, and discharge such duties, as may be assigned to him by the Vice-Chancellor and the Executive Council.

The Bidhan Chandra Krishi Viswavidyalaya (Second Amendment) Act, 1996.

(Section 14.)

(2) The Campus Director shall be in overall charge of the campus for the academic, administrative, research, extension education, and financial functions of the campus.".

Saving and validation.

14. (1) Anything done or any action taken under the principal Act as amended by the Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1996, shall, on the said Ordinance ceasing to operate, be deemed to have been done or taken under the principal Act as amended by this Act as if this Act had commenced on the 2nd day of February, 1996. West Ben. Ord. III of 1996.

(2) Anything done or any action taken under the principal Act as amended by this Act before the publication of this Act in the *Official Gazette* shall be deemed to have been validly done or taken under the principal Act as amended by this Act as if this Act were in force when such thing was done or such action was taken.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-25**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

SRAVANA 22] TUESDAY, AUGUST 13, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1614-L.—13th August, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XXII of 1996

THE WEST BENGAL INDUSTRIAL INFRA-STRUCTURE DEVELOPMENT CORPORATION (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 13th August, 1996.]

An Act to amend the West Bengal Industrial Infra-structure Development Corporation Act, 1974.

WHEREAS it is expedient to amend the West Bengal Industrial Infra-structure Development Corporation Act, 1974, for the purpose and in the manner hereinafter appearing; West Ben Act XXV of 1974

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Industrial Infra-structure Development Corporation (Amendment) Act, 1996.

(2) This section shall come into force at once; and section 2 shall come into force on such date as the State Government may, by notification in the *Official Gazette,* appoint and, for this purpose, different dates may be appointed for different areas to be specified in the notification.

The West Bengal Industrial Infra-structure Development Corporation (Amendment) Act, 1996.

(Section 2.)

Amendment of section 33 of West Ben Act XXV of 1974

2. In the West Bengal Industrial Infra-structure Development Corporation Act, 1974, in Chapter V, in section 33, for the words "at the rate of four *per cent. per annum* from the time of so taking possession until it shall have been so paid or deposited.", the words and figures "in accordance with the provisions of section 34 of the Land Acquisition Act, 1894." shall be substituted. 1 of 1894.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-26**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

SRAVANA 22] TUESDAY, AUGUST 13, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1616-L.—13th August, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XXIII of 1996

THE WEST BENGAL MINORITIES DEVELOPMENT AND FINANCE CORPORATION (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Govenor was first published in the *Calcutta Gazette, Extraordinary*, of the 13th August, 1996.]

An Act to amend the West Bengal Minorities Development and Finance Corporation Act, 1995.

WHEREAS it is expedient to amend the West Bengal Minorities Development and Finance Corporation Act, 1995, for the purpose and in the manner hereinafter appearing;

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the West Bengal Minorities Development and Finance Corporation (Amendment) Act, 1996.

(2) It shall come into force at once.

The West Bengal Minorities Development and Finance Corporation (Amendment) Act, 1996.

(Section 2.)

Amendment of section 4 of West Ben Act XVIII of 1995

2. In sub-section (1) of section 4 of the West Bengal Minorities Development and Finance Corporation Act, 1995,—

(1) for clause (a), the following clause shall be substituted:—

"(a) a Chairperson, who shall be a person of public eminence, to be nominated by the State Government;";

(2) for clause (e), the following clause shall be substituted:—

"(e) the Secretary, Minorities' Development and Welfare Department, Government of West Bengal, *ex officio*;";

(3) after clause (g), the following clause shall be inserted:—

"(gg) a representative of the West Bengal Minorities' Commission;".

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-320 No. 209(I)

The Calcutta Gazette

Extraordinary
Published by Authority

SRAVANA 23] WEDNESDAY, AUGUST 14, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
OFFICE OF THE REGISTRAR OF FIRMS, SOCIETIES AND NON-TRADING CORPORATIONS, WEST BENGAL
P-15, India Exchange Place Extension, Todi Mansion, 10th Floor, Calcutta-700 073

No. : Dated :

DISSOLUTION

In the matter of West Bengal Societies Registration Act, 1961
and
In the matter of Shri Aurobinda Memorial Fund Society Registration No. 21347/391 of 1953-1954
and
In the matter of Dissolution of Societies.

NOTICE is hereby given that if no objection is received from any claimant or creditor or any member of the society within three months from the date of notice, the society shall subject to the provisions of section 27, be dissolved.

ASOK GHOSH,
Registrar of Firms, Societies and Non-Trading Corporations, West Bengal.

Printed by the Superintendent, Govt. Printing, West Bengal and Published by the Controller of Printing and Stationery, West Bengal, at the West Bengal Govt. Press, Alipore.

Registered No WB/SC—247 WB/3573/LA/2R-66/96/P.W.D. (Roads)/BWN/96
SL No. 1873/LA/

The Calcutta Gazette

Extra-ordinary
Published by Authority

[Shraban 31] [Friday, August 16, 1996] [Saka 1918]

Part I —Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL
LAND AND LAND REFORMS DEPARTMENT
Land Acquisition

NOTIFICATION

Burdwan No.—3572/LA/2R-66/96/P.W.D (Roads) Dated . 9. 7 96

Whereas it appears to the Governor that land is likely to be needed to be taken by Government at the public expense for a public purpose, viz. for acquisition of land (from 502 K.M.P. to 504 K.M.P.) in connection with 4 laning of N. H.-2 between Raniganj 474 K.M. and Panagarh 516 K.M. on ADB loan assistance project in the mouzas BAMUNARA and KHATPUKUR, Jurisdiction List No. 58 and 59 respectively P. S. Kanksa, District Burdwan, it is hereby notified that for the above purpos a piece of land comprising revisional settlement plots as detailed below and mesuring, more or less, 0·4759 hectare (1·176 acres), bounded as specified below is likely to be needed within the aforesaid mouzas Bamunara and Khatpukur.

This notification is made, under the provisions of section 4 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Burdwan.

In exercise of the powers conferred by the aforesaid section, the Governor is pleased to authorize the officers for the time being engaged in the undertaking, with their servant and workemen, to enter upon and survey the land and do all other acts required or permitted by that section.

In exercise of the powers conferred by Sub-section (4) of section 17 of the land Acquisition Act, 1894 (Act, I of 1894), the Governor is pleased to direct that the provisions of section 5A of the Act, shall not apply to the lands as described in the schedule below to which in the opinion of the Governor, the provisions of sub-section (I) of section 17 of the said Act are applicable.

LAND SCHEDULE

Mouza—Khatpukur J. L. No.—59 P. S. Kanksa District - Burdwan.

R. S. Plot Nos. in full :—1205.

R. S. Plot Nos. in part :—

R. S. Plots in part :—

R. S. Plot No.	Specific portion of the plot	Area in acre	Area in hectare	R. S. Plot No.	Specific portion of the plot	Area in acre	Area in hectare
1058	Northern	·01	0040	1188	Northern	·017	·0068
1062	Do	·015	·0060	1194	Do	·014	·0056
1063	Do	·01	·0040	1201	Do	·025	·0101
1064	Do	·007	·0028	1204	Do	025	·0101
1178	Do	·01	0040	1206	Do	·035	·0141
1182	Do	·005	·0020	1208	Do	·015	·0060
1187	Do	·015	·0060				

Mouza – Bamunara J. L. No.– 58 P. S. Kanksa Dist– Burdwan

R. S. Plot in part :—

R.S. Plot Nos.	Specific portion of the plot	Area in acre	Area in hectare	R.S. Plot No.	Specific portion of the plot	Area in Acre	Area in hectare
2828	Northern	·015	·0061	3331	Northern	·02	·0081
2829	Do	·05	·0202	3332	Do	·015	·0060
2830	Do	·135	·0546	3333	Do	·018	·0072
2841	Do	·06	·0243	3359	Do	·03	·0121
3092	Do	·038	·0153	3360	Do	·02	·0081
3102	Do	·045	·0182	3364	Do	·005	·0020
3103	Do	·035	·0141	3365	Do	·02	·0081
3114	Do	·03	0121	3369	Do	·03	·0121
3115	Do	·01	·0040	3370	Do	·025	·0101
3117	Do	·01	0040	3373	Do	·01	·0040
3120	Do	·037	·0149	4891	Do	·01	·0040
3142	Do	·015	·0060	4892	Do	·015	·0060
3145	Do	·01	·0040	4900	Do	·02	·0081
3146	Do	·035	·0141	4901	Do	·01	·0040
3148	Do	·008	·0032	4905	Do	·02	·0081
3149	Do	·005	·0020	4906	Do	·04	·0162
3328	Do	·015	·0060	4907	Do	·015	·0060
3329	Do	·025	·0101				

By order of the Governor.
S. C. Pahari
Dy. Secy. to the Govt. of W. B

Price—Re. 0.20

Registered No. WB/SC-247

WB/3364/CBR/(11)/SPL./96
SL. No. LA/1043/2

THE CALCUTTA GAZETTE

Extra-ordinary
Published by Authority

BHADRA 6] FRIDAY, AUGUST 23/1996 [SAKA 1918

PART—I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND AND LAND REFORMS DEPARTMENT

LAND ACQUISITION

NOTICE

COOCH BEHAR No. 3363 LA/10R-53/96/Home (Poll) Dated—24-6-96

WHEREAS 1·7867 hectares (4·415 acres) more or less of land situated in the Village of Sukarurkuthi J. L. No. 243 as described below have been requisitioned under Sub-section (1) of Sec 3 of the West Bengal Land (Requisition and Acquisition) Act. 1948 by the person authorised under section 3 (1A) of the Act. for the public purpose of providing proper facilities for transport and communication namely, for construction of road along Indo-Bangladesh Border.

NOW, therefore, notice is hereby given that in pursuance of Sec. 4 of the said Act. the Governor acquires such land being required for a public purpose as aforesaid, in Requisition Case No. 184/92-93

THIS NOTICE is given under the provisions of Sub-section 1 (a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948) to all whom it may concern.

A plan of the land may be inspected in the office of the District Magistrate, Cooch Behar.

Contd. 2

DESCRIPTION OF LAND

Dist.—Cooch Behar.
Mouza—Sukarurkuthi
R. S. Plots in Full :— 3944, 3998
R. S. plots in part :—

Police Station—Dinhata
J. L. No. 243
R. S. No. 676

Plot No.	Specific portion of the plot	Area in Acre	Hectare.
3942	South East Corner	·01	·0040
3943	Eastern	·18	·0729
3945	Northern	·05	·0202
3946	Except South East Corner	·105	·0425
3947	Western	·09	·0364
3948	Western	·07	·0283
3949	Eastern	·19	·0769
3950	Eastern	·13	·0526
3975	Middle	·40	·1619
3976	Western	·36	·1457
3977	Eastern	·08	·0324
3979	Eastern	·11	·0445
3989	North East Corner	·08	·0324
3990	Eastern Ex. North East Corner	·33	·1336
3992	Middle	·29	·1174
3994	Eastern	·08	·0324
3995	Western	·16	·0648
3996	Eastern	·08	·0324
3997	Western	·23	·0931
3999	Western	·03	·0121
4000	Western	·04	·0162
4002	Middle	·35	·1417
4012	Southern	·08	·0324
4013	Ex. south western & north east corner	·30	·1214
4014	South West Corner	·09	·0364
4015	Ex. North East Corner	·15	·0607
4016	North East Corner	·06	·0243

BY ORDER OF THE GOVERNOR
P. K. Guha Roy
Dy. Secy. to the Govt. of West Bengal

Published by the C-P-S, W. B. and Printed by District Magistrate Cooch Behar at the Cooch Behar Zilla Parishad Press, Cooch Behar, Post & Dist. Cooch Behar-736101 "1900" 23-7-96

Price : Re. 0·20 Per Page

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-27**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

BHADRA 5] TUESDAY, AUGUST 27, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1740-L.—27th August, 1996.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XXIV of 1996

THE WEST BENGAL LAND REFORMS (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary,* of the 27th August, 1996.]

An Act to amend the West Bengal Land Reforms Act, 1955, to provide for permitting a person to acquire and hold land on certain conditions in excess of the ceiling area applicable to him, for the purpose of establishing a tea garden, mill, factory or workshop, livestock breeding farm, poultry farm, or dairy, or township and for matters connected therewith, with a view to advancing industrial development in the State of West Bengal to meet the requirement of greater public interest and to subserve the common good.

West Ben Act X of 1956.

WHEREAS it is expedient to amend the West Bengal Land Reforms Act, 1955, to provide for permitting a person to acquire and hold land on certain conditions, in excess of the ceiling area applicable to him for the purpose of establishing a tea garden, mill, factory or workshop, livestock breeding farm, poultry farm, or dairy, or township and for matters connected therewith, with a view to advancing industrial development in the State of West Bengal to meet the requirement of greater public interest and to subserve the common good;

The West Bengal Land Reforms (Amendment) Act, 1996.

(*Sections 1-4.*)

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Land Reforms (Amendment) Act, 1996.

(2) It shall come into force at once.

Amendment of section 14L of West Ben Act X of 1956

2. In section 14L of the West Bengal Land Reforms Act, 1955 (hereinafter referred to as the principal Act), for the words "On and from the commencement", the words, figures, letters and brackets "Subject to the provisions of sub-section (3) of section 14Q, section 14Y and sub-section (2) of section 14Z, on and from the commencement" shall be substituted.

Amendment of section 14Y

3. To section 14Y of the principal Act, the following provisos and *Explanation* shall be added:—

'Provided that a person intending to establish a tea-garden, mill, factory or workshop, livestock breeding farm, poultry farm, or dairy, or township in accordance with the provisions of the West Bengal Town and Country (Planning and Development) Act, 1979, may, with the previous permission, in writing, of the State Government and on such terms and conditions and in such manner as the State Government may by rules prescribe, acquire and hold land in excess of the ceiling area applicable to him under section 14M:

West Ben Act XIII of 1979.

Provided further that if such person, having been permitted by the State Government, does not utilise within two years of the date of such permission such land for the purpose for which he has been so permitted by the State Government to acquire and hold it, then, all the provisions of this Chapter relating to ceiling area shall apply to the area of land which is held in excess of the ceiling area applicable to him under section 14M.

Explanation.—For the purposes of this section, "person" includes an individual, a firm, a company, an institution, or an association or body of individuals, whether incorporated or not.'.

Amendment of section 49

4. In sub-section (5) of section 49 of the principal Act, the existing *Explanation* shall be renumbered as *Explanation I* and after *Explanation I* as so renumbered, the following *Explanation* shall be inserted:—

'*Explanation II.*—For the purposes of this sub-section, "industry" includes a tea-garden, mill, factory or workshop, livestock breeding, poultry farming, or dairy, or township approved under the West Bengal Town and Country (Planning and Development) Act, 1979.'.

By order of the Governor,

B. N. BERA,
Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No.WB/DTP/Pt.I/CPS/96/1656

The Calcutta Gazette

Extraordinary

Published by Authority

BHADRA 12] TUESDAY, SEPTEMBER 3, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

Judicial Department

NOTIFICATION

No. JF/W/17 Dated : 03.09.96

WHEREAS the Board of Wakfs, West Bengal, constituted by this department notification no. 22446-J, dated the 3rd September, 1990, under the Bengal Wakf Act, 1934, (Ben. Act XIII of 1934), was superseded with immediate effect by this department notification no. 16462-J dated the 6th September, 1995.

AND WHEREAS the said Board of Wakfs was not reconstituted or re-established under the Bengal Wakf Act, 1934, (Ben. Act XIII of 1934);

AND WHEREAS the Wakf Act, 1995, (43 of 1995), has come into force in the State of West Bengal on the 1st day of January, 1996;

AND WHEREAS by virtue of the provisions of sub-section *(3)* of section 112 of the Wakf Act, 1995, (43 of 1995), the Bengal Wakf Act, 1934 (Ben. Act XIII of 1934) stands repealed with effect from the 1st day of January, 1996;

AND WHEREAS sub-section *(1)* of section 99 of the Wakf Act, 1995, (43 of 1995), provides, inter alia, that the State Government may, by notification in the Official Gazette, supersede a Board of Wakfs for a period not exceeding six months;

AND WHEREAS in exercise of the Power conferred by clause *(a)* of sub-section *(3)* of section 99 of the Wakf Act, 1995, (43 of 1995), the Governor was pleased to extend the period of supersession of the said Board of Wakfs for a period of six months from the 6th day of March, 1996, or till the said Board of Wakfs was reconstituted in the manner provided in section 14 of the Wakf Act, 1995 (43 of 1995), whichever was earlier, by this department notification no. 7798-J dated the 10th June, 1996, as published in the Calcutta Gazette, Extraordinary, Part-I, dated the 10th June, 1996;

AND WHEREAS the said Board of Wakfs is yet to be reconstituted in the manner provided in seciton 14 of the Wakf Act, 1995, (43 of 1995), and the extended period of supersession of six months as aforesaid will expire on the 5th September, 1996;

NOW, THEREFORE, in exercise of the power conferred by clause *(a)* of sub-section *(3)* of section 99 of the Wakf Act, 1995, (43 of 1995), the Governor is pleased hereby to extend the period of supersession of the said Board of Wakfs for a further period of forty-five days from the 6th day of September, 1996 or till the said Board of Wakfs is reconstituted in the manner provided in section 14 of the Wakf Act, 1995, (43 of 1995), whichever is earlier.

By Order of the Governor
P. K. Sengupta
Secretary to the Government
of West Bengal

Published by the Controller of Printing & Stationery, West Bengal and printed at DTP Press, 10 Rainey Park, Calcutta – 700 019

Registered No. WB/SC-247 No. WB(Part-I)/96/SAR-213

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

BHADRA 14] THURSDAY, SEPTEMBER 5, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 2194-F.T. Calcutta, the 5th September, 1996.

NOTIFICATION

WHEREAS the Governor intends so to do;

NOW, THEREFORE, the following draft of addition to, amendment in, or alteration of, the following Schedules to the West Bengal Sales Tax Act, 1994 (West Ben. Act XLIX of 1994) (hereinafter referred to as the said Act), which the Governor, in exercise of the power conferred by sub-section (1) of section 25 of the said Act, proposes to make, is hereby brought, as required by sub-section (1) of the said section, to the notice of all persons likely to be affected thereby. The draft will be taken into consideration after the expiry of a period of fourteen days from the date of publication of this notification in *Official Gazette*.

2. Any objection or suggestion in writing, which may be received by the undersigned from any person with respect to the said draft before the expiry of the period so specified, shall be considered.

Draft

In the said Act,—

(1) in Part A of Schedule IV,—

(a) after serial No. 50 in column (1) and the entry relating thereto in column (2), *insert* the following serial No. in column (1) and the entry relating thereto in column (2):—

"51. Paints of all kinds including acrylic and plastic emulsion paints, lacquers, distempers, cement colours or paints, enamels, liquid paints, stiff paste paints and powder paints, whether ready for use or not.";

(b) against serial No. 78 in column (1) *insert* the following entry relating thereto in column (2):—

"Varnishes, vegetable paint removers and stainers of all kinds.";

(2) in Schedule VIIIA,—

(a) *omit* serial No. 3 in column (1), and the entries relating thereto in column (2), column (3) and column (4);

(b) *omit* serial No. 4 in column (1), and the entries relating thereto in column (2), column (3) and column (4).

3. This notification shall come, and shall be deemed to have come, into force on and from the 5th day of September, 1996.

By order of the Governor,

N. BARMAN ROY,
Dy. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-IIIA)/96/SAR-8**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

BHADRA 15] FRIDAY, SEPTEMBER 6, 1996 [SAKA 1918

PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Ordinance No. VIII of 1996

THE WEST BENGAL SCHOOL SERVICE COMMISSION ORDINANCE, 1995.

WHEREAS it is expedient to provide for the constitution of Regional School Service Commissions and a Central School Service Commission in West Bengal and for matters connected therewith or incidental thereto,

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

AND WHEREAS the instructions of the President under the proviso to clause (1) of article 213 of the Constitution of India have been obtained;

The Governor is pleased, in exercise of the power conferred by clause (1) of the said article, to make and promulgate the following Ordinance:—

Short title and commencement

1. (1) This Ordinance may be called the West Bengal School Service Commission Ordinance, 1995.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Definitions

2. In this Ordinance, unless the context otherwise requires,—

(a) "Board" means the West Bengal Board of Secondary Education established under the West Bengal Board of Secondary Education Act, 1963; West Ben Act V of 1963

(b) "Board of Madrasah" means the West Bengal Board of Madrasah Education established under the West Bengal Board of Madrasah Education Act, 1994; West Ben Act XXXIX of 1994

The West Bengal School Service Commission Ordinance, 1995.

(*Section* 2.)

(c) "Central Commission" means the West Bengal Central School Service Commission constituted under section 3;

(d) "Chairman" means the Chairman of the Commission;

(e) "Commission" means the Central Commission or the Regional Commission;

(f) "Council" means the West Bengal Council of Higher Secondary Education established under section 3 of the West Bengal Council of Higher Secondary Education Act, 1975; West Ben. Act VIII of 1975.

(g) "Headmaster" or "Headmistress" means the head of the teaching staff of a school, by whatever name he or she may be designated;

(h) "Madrasah" means an educational institution imparting instruction in—

(i) High Madrasah Education System within the meaning of sub-clause (i), or

(ii) Senior Madrasah Education System within the meaning of sub-clause (ii),

of clause (g) of section 2 of the West Bengal Board of Madrasah Education Act, 1994, West Ben. Act XXXIX of 1994

and includes a Junior High Madrasah.

Explanation.—"Junior High Madrasah" shall have the same meaning as in clause (e) of section 2 of the West Bengal Board of Madrasah Education Act, 1994;

(i) "member" means a member of the Commission, and includes the Chairman;

(j) "notification" means a notification published in the *Official Gazette*;

(k) "prescribed" means prescribed by rules made under this Ordinance;

(l) "Regional Commission" means the West Bengal Regional School Service Commission constituted under section 3;

(m) "regulations" means the regulations made by the Central Commission under this Ordinance;

(n) "school" means a recognised non-Government aided—

(i) secondary school, or educational institution, or part or department of such school or institution, imparting instruction in a secondary education, or

(ii) higher secondary school, or educational institution (other than a college), or part or department of such school or institution, imparting instruction in higher secondary education, or

(iii) Madrasah,

and includes a sponsored school.

Explanation I.—"Recognised" with its grammatical variations, used with reference to a school, shall mean—

(a) recognised or deemed to have been recognised under the West Bengal Board of Secondary Education Act, 1963, or West Ben. Act V of 1963.

(b) recognised under the West Bengal Council of Higher Secondary Education Act, 1975, or

(c) recognised or deemed to have been recognised under the West Bengal Board of Madrasah Education Act, 1994.

Explanation II.—"Aided" with its grammatical variations, used with reference to a school, shall mean aided by the State Government in the shape of financial assistance towards the basic pay of the teachers of that school.

The West Bengal School Service Commission Ordinance, 1995.

(*Section 3.*)

Explanation III.—"Basic pay" shall mean the monthly pay of a teacher of a school which corresponds to a stage in the time-scale of pay of the post held by the teacher in that school.

Explanation IV.—"Secondary education" shall have the same meaning as in clause (1) of section 2 of the West Bengal Board of Secondary Education Act, 1963. West Ben. Act V of 1963.

Explanation V.—"Higher secondary education" shall have the same meaning as in clause (d) of section 2 of the West Bengal Council of Higher Secondary Education Act, 1975. West Ben. Act VIII of 1975.

Explanation VI.—"Sponsored school" shall mean a school declared as a sponsored school by the State Government by notification;

(o) "Secretary" means the Secretary of the Commission;

(p) "Teacher" means an Assistant Teacher or any other person, holding a teaching post of a school and recognised as such by the Board or the Council or the Board of Madrasah, as the case may be, and includes the Headmaster or the Headmistress.

Constitution of Commission

3. (1) The State Government shall, with effect from such date as it may, by notification, appoint, constitute—

(a) a Central Commission by the name of the West Bengal Central School Service Commission, and

(b) a Regional Commission by the name of the West Bengal Regional School Service Commission, in respect of each of the regions referred to in clause (a) of sub-section (2).

(2) For the purposes of clause (b) of sub-section (1), the territory of the State of West Bengal shall comprise four regions to be called the Eastern Region, the Southern Region, the Western Region and the Northern Region; each such region shall comprise such district or districts or part of a district as the State Government may, by notification, determine, and the territorial jurisdiction of a Regional Commission shall be construed accordingly.

Explanation I.—Calcutta as defined in clause (9) of section 2 of the Calcutta Municipal Corporation Act, 1980, shall, for the purposes of this Ordinance, be deemed to be a district. West Ben. Act LIX of 1980

Explanation II.—Part of a district shall ordinarily mean a sub-division, or two or more, but not all, sub-divisions taken together, of that district as may be specified in the notification under this sub-section:

Provided that if the area of a district, or any part of a district, other than Calcutta, overlaps any part of the area included in Calcutta, such overlapping area shall be excluded from the territorial jurisdiction of the Regional Commission in respect of such district and shall be included within the territorial jurisdiction of the Regional Commission in respect of Calcutta.

(3) The State Government may, at any time, by notification enlarge or reduce the territorial jurisdiction of a Regional Commission constituted under clause (b) of sub-section (1).

(4) (a) The Commission shall consist of five members of whom one shall be the Chairman.

(b) Of the five members as aforesaid, one shall be a person who, not being an educationist, occupies or has occupied, in the opinion of the State Government, a position of eminence in public life or in judicial or administrative service, and the others shall have teaching experience, either as a Teacher of a University or as a Principal of a college for a period of not less than ten years, or as a teacher, other than Principal of a college, or as a Headmaster or Headmistress, for a period of not less than fifteen years.

The West Bengal School Service Commission Ordinance, 1995.

(Sections 4-7.)

Appointment and terms and conditions of service of members.

4. (1) (a) The Chairman and other members shall be appointed by the State Government.

(b) The Chairman and other members shall hold office for a term of four years:

Provided that a person who has held office as Chairman or other member shall, on the expiration of the term of his office, be eligible for further appointment as Chairman or other member:

Provided further that no person who has attained the age of sixty-two years shall be eligible to hold office as Chairman or other member.

(2) If the office of the Chairman or any other member becomes vacant by reason of resignation or otherwise or if the Chairman is, by reason of absence or for any other reason, unable to perform the duties of his office, then, until a Chairman or other member is appointed under sub-section (1) or until the Chairman resumes his duties, as the case may be, the duties of the Chairman or the other member, as the case may be, shall be performed by such other member as the State Government may appoint in this behalf.

(3) The Chairman or any other member may resign his office by writing under his hand addressed to the State Government, but he shall continue in office until his resignation is accepted by the State Government.

(4) (a) The office of the Chairman shall be whole-time; the other members shall be honorary.

(b) The salary of the Chairman and the honorarium of the other members shall be such as may be determined by the State Government.

(c) Subject to the foregoing provisions of this sub-section, the other terms and conditions of service of the Chairman and other members shall be such as may be prescribed.

Removal of member

5. The State Government may, after making inquiry in such manner as may be prescribed, remove the Chairman or any other member from his office on the ground of—

(a) misconduct involving moral turpitude, or

(b) insolvency, or

(c) infirmity of body or mind.

Staff of Commission.

6. (1) The staff of the Commission shall consist of—

(a) a Secretary who shall be appointed by the State Government, and

(b) such other employees as the Commission may, with the previous approval of the State Government, appoint from time to time.

(2) The salary of the Secretary and of the other employees of the Commission shall be such as may be determined by the State Government.

(3) The other terms and conditions of service—

(a) of the Secretary shall be such as may be prescribed, and

(b) of the other employees of the Commission shall be such as may be provided for by regulations.

Functions of Regional Commission.

7. Notwithstanding anything contained in any other law for the time being in force or in any contract, custom or usage to the contrary, it shall be the duty of the Regional Commission to select persons for appointment to the posts of Teachers in schools within its territorial jurisdiction.

The West Bengal School Service Commission Ordinance, 1995.

(*Sections 8-15.*)

Manner and scope of selection of persons and procedure for conduct of business of Commission

8. (1) The manner and scope of selection of persons for appointment to the posts of Teachers shall be such as may be prescribed.

(2) The procedure for the conduct of business of the Commission shall be such as may be provided for by regulations.

Effect of recommendation of Commission.

9. (1) Notwithstanding anything contained in any other law for the time being in force or in any contract, custom or usage to the contrary, appointments to the posts of Teachers in a school shall be made by the managing committee, by whatever name called, or by the ad hoc committee, or by the administrator, if any (where there is no managing committee), of that school on the recommendation of the Regional Commission having jurisdiction.

(2) Any appointment of a Teacher made on or after the commencement of this Ordinance in contravention of the provisions of this Ordinance shall be invalid and shall have no effect and the Teacher so appointed shall not be a Teacher within the meaning of clause (p) of section 2.

Protection of Teachers

10. Notwithstanding anything contained elsewhere in this Ordinance, the terms and conditions of service of Teachers in the employment of a school immediately before the commencement of this Ordinance shall not be varied to the disadvantage of such Teachers in so far as such terms and conditions relate to the appointment of such Teachers to the posts held by then immediately before the commencement of this Ordinance.

Power of Commission to call for records etc

11. The Commission may call for any record, report or other information from any school or the Board or the Council or the Board of Madrasah if, in its opinion, such record, report or other information is necessary for efficient discharge of its functions, and the school or the Board or the Council or the Board of Madrasah, as the case may be, shall furnish such record, report or other information to the Commission.

Report of Central Commission

12. It shall be the duty of the Central Commission to present annually to the State Government a report as to the work done by the Central Commission and each Regional Commission and, on receipt of such report, the State Government shall cause a copy thereof to be laid before the State Legislature.

Members etc. to be public servants

13. The Chairman and other members and persons appointed under this Ordinance shall, while acting or purporting to act under this Ordinance, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

Validation

14. The proceedings of the Commission shall not be invalid by reason of any vacancy in the office of the Chairman or any other member.

Ordinance not to apply in relation to certain schools

15. The provisions of this Ordinance shall not apply to—

(a) a school established and administered by a minority, whether based on religion or language, or

(b) a school under any trust, established and administered by a minority, whether based on religion or language, or

(c) a school not in receipt of any financial assistance from the State Government, or

(d) a school in receipt of a financial assistance from the State Government towards dearness allowance only of teachers of such school, or

(e) a Government school.

The West Bengal School Service Commission Ordinance, 1995.

(Sections 16-20.)

Explanation.—"Government school" shall mean a school maintained and managed by the State Government or the Government of India or the Railway Board under the Ministry of Railway, Government of India.

Functions of Central Commission.

16. (1) The Central Commission shall monitor, supervise, control and co-ordinate the activities of the Regional Commission which shall be subordinate to the Central Commission.

(2) The Central Commission may call for any record, report or other information from a Regional Commission if, in the opinion of the Central Commission, such record, report or other information is necessary for efficient discharge of its functions, and the Regional Commission shall furnish such record, report or other information to the Central Commission.

(3) It shall be the duty of the Central Commission to advise the State Government on such matters as may be referred to it by the State Government.

Power to make rules

17. (1) The State Government may, by notification, make rules for carrying out the purposes of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters:—

(a) the terms and conditions of service of the Chairman and other members under clause (c) of sub-section (4) of section 4;

(b) the manner in which an inquiry is to be made for removal of the Chairman or any other member under section 5;

(c) the terms and conditions of service of the Secretary under clause (a) of sub-section (3) of section 6;

(d) the manner and scope of selection of persons for appointment to the posts of Teachers under sub-section (1) of section 8;

(e) any other matter which may be, or is required to be, prescribed.

Power to make regulations.

18. (1) The Central Commission may, with the previous approval of the State Government, make regulations, not inconsistent with the provisions of this Ordinance or the rules made thereunder, for discharging the functions of the Commission under this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters:—

(a) the terms and conditions of service of the employees of the Commission under clause (b) of sub-section (3) of section 6;

(b) the procedure for the conduct of business of the Commission under sub-section (2) of section 8.

Directions by State Government

19. In the discharge of its functions the Commission shall be guided by such directions as may be given to it by the State Government from time to time in conformity with the provisions of this Ordinance.

Dissolution of Commission

20. (1) If the State Government is of the opinion that the Commission has failed to discharge its functions under this Ordinance in accordance with the provisions of this Ordinance, the State Government may, by an order published in the *Official Gazette*, and stating the reasons therefor, dissolve the Commission with effect from such date as may be specified in the order.

(2) Upon the dissolution of the Commission under sub-section (1), all the members of the Commission shall be deemed to have vacated their respective offices with effect from the date of such dissolution.

The West Bengal School Service Commission Ordinance, 1995.

(Section 20.)

(3) The State Government may, at any time after the dissolution of the Commission under sub-section (1), reconstitute the Commission in accordance with the provisions of this Ordinance.

CALCUTTA,
The 5th September, 1996.

K. V. RAGHUNATHA REDDY,
Governor of West Bengal.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

WB/3947/CBR/(I)/SPL/96
Sl. No, L A./1098/2

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

BHADRA 24 TUESDAY SEPTEMBER 10/1996 SAKA—1918

PART I. —Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
LAND AND LAND REFORMS DEPARTMENT
LAND ACQUISITION

DECLARATION

Cooch Behar No. 3946 L. A. / 10R-232/95/ Home (Poll) Dt. 25. 7. 96.

Whereas the functions of the Central Government under the Land Acquisition Act. 1894 (Act. I of 1894). in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government by notification No. S. O 782(E) dated 25th October, 1985 of Rural Development Department issued by Government of India in the Ministry of Agriculture and Rural Development and published at pages 1 to 3 part II section 3 of the Gazette of India extra-ordinary, under clause (I) of article 258 of the Constitution of India.

2. And whereas the Governor is satisfied that land is needed for a public purpose being a purpose of the Union, namely for Construction of Road along ,Indo Bangladesh Border in the mouza Bagdokra Jurisdiction List No. 133 P.S. Mekhliganj District Cooch Behar. it is hereby declared that a piece of land comprising Revisional settlement plots as detailed below and measuring, more or less, 1·6512 hectares (4·08 acres) bounded as specified below is needed for the abovesaid public purpose at the public expense within the aforesaid mouza.

3. The Declaration is made, under provision of section 6 of Act. I of 1894, to all whom it may concern.

4. A plan of the land may be inspected in the office of the L. A. Collector Cooch Behar.

DESCRIPTION OF LAND

District : Cooch Behar, P. S. Mekhliganj Mouza : Bagdokra, J. L. No. 133
R. S. Plots in full : 2948, 2979
R. S. Plots in part :

Plot No.	Specific portion of the plot	Area in acre	Area in hectare	Plot No.	Specific portion of the plot	Area in acre	Area in hectare
1	2	3	4	1	2	3	4
2856	South East Corner	.035	.0142	2924	Northern	·065	·0263
2859	Southern	095	·0385	2925	—do —	·07	0283
2860	Southern	·21	0850	2926	Northern	·085	·0344
2863	Ex. North West Cor.	·095	·0385	2927	South Eastern	·04	·0162
2864	Southern	14	·0567	2929	Southern	·07	·0283
2865	Northern	·09	·0364	2931	Southern	·05	0202
2866	—do —	·12	·0486	2932	Southern	·14	·0567
2868	North west Corner	·025	·0101	2933	—do—	08	·0324
6869	Northern	·03	.0121	2934	Ex. North West Corner	·205	·0830
2870	Eastern Ex. South East Cor.	22	·0891	2935	Northern	05	·0202
2872	Southern	·11	.0445	2936	Northern	.07	·0283
2873	Northern	·14	0567	2946	North West Cor.	005	·0020
2874	- do -	·04	·0162	2947	Northern	08	·0324
2875	Southern	·09	·0364	2949	South East Corner	·03	·0121
2876	Ex. North West & South East Cor.	·155	·0628	2975	Middle of Southern side	005	·0020
				2977	Middle	·17	·0689
2877	North west Cor.	01	0040	2978	Ex. N W. Co.	18	·0729
2878	Northern	·09	·0364	2980	Northern	·05	·0202
2879	North West Cor.	02	0081	2981	—do —	·025	·0101
2892	Northern	02	0081	2982	Ex North East Corner	·07	0284
2919	—do—	·07	0283	2983	Western	·06	·0243
2920	—do—	·08	0324	3103	North Western Corner	·04	0162
2921	Northern	·095	·0385	3104	Northern	.03	·0121
2923	Northern	09	0364				

By Order of the Governor
P. K. GUHA ROY
Deputy Secretary to the
Government of West Bengal

Published by the C P S, West Bengal and Printed by the District Magistrate, Cooch Behar at the Rabindra Press, Post & Dist.— Cooch Behar-736 101. '1900'

Price Re. 0·20 per page

Registered No. WB/SC-247

WB/3938/CBR/(I)/SPL/96
Sl. No. L. A. 1094/2

7/3 (LA) 1094 5/12/96

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

BHADRA 30 MON DAY SEPTEMBER 16/1996 SAKA—1918

Part—I. Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
LAND AND LAND REFORMS DEPARTMENT
LAND ACQUISITION

DECLARATION

Cooch Behar No. 3937 L. A. / 10R-236/95/ Home (Poll) Dt. 25-7-96

Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act-I of 1894) in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government by notification No. S.O. 782 (E) dated, 25th October, 1985 of Rural Development Department issued by Government of India in the Ministry of Agriculture and Rural Development and published at pages 1 to 3, part-II, section 3 of the Gazette of India extra-ordinary, under clause (1) of article 258 of the Constitution of India.

2. And whereas the Governor is satisfied that land is needed for a public purpose, being a purpose of the Union, namely for construction of Link Road Between I. B. B. Road and BOP. in the mouza Chenakata Jurisdiction List No. 88 P.S. Mathabhanga District Cooch Behar. It is hereby declared that a piece of land comprising Revisional Settlement plots as detailed below and measuring, more or less, 0 3035 hectares (0·75 acres) bounded as specified below is needed for the abovesaid public purpose at the public expense within the aforesaid mouza

3. The Declaration is made, under provision of section 6 of Act-I of 1894 to all whom it may concern.

4. A plan of the land may be inspected in the office of the L.A. Collector, Cooch Behar.

DESCRIPTION OF LAND

District : Cooch Behar. P. S. Mathabhanga Mouza : Chanakata J. L. No. 88 Sheet No. I

R. S. Plots Nos. in Parts :

Plot No.	Specific portion of the plot	Area in acre	Area in hectare	Plot No.	Specific portion of the plot	Area in acre	Area in hectare
1	2	3	4	1	2	3	4
15	Middle of Eastern Portion	·07	0·0283	75	North East Corner	·02	0·0081
73	Northern	·58	0·2347	76	Northern	.08	0·0324

By Order of the Governor

P. K. GUHA ROY

Deputy Secretary to the

Government of West Bengal

Published by the C. P. S. West Bengl and Printe by the District Magistrate, Cooch Behar the Rabindra Press, Post. & Dist. ··Cooch Behr-736 101 '1900'

Price Re. 0·20 perpage

Registered No. WB/SC-247

No.WB/DTP/Pt.I/CPS/96/1683
WB-4174-LA/CAL/96
Sl. No. L.A./I

The Calcutta Gazette

Extraordinary

Published by Authority

BHADRA 27] WEDNESDAY, SEPTEMBER 18, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

L & L. R. DEPARTMENT

Land Acquisition Collector

ERRATUM

No. 4173-LA

Dated: 5.8.96

In the notification bearing no. Calcutta No. 1113-L.A./3P-22/95 Home (Police) dated 27/2/96 published in the Calcutta Gazette on 2nd April, 1996 the following changes will occure :

Read the Words and figure "Premises No. 2, S.R. Das Road" in place of the words and figure "Premises No. 22, S.R. Das Road" in line-14.

By order of the Governor,
P. K. Guha Roy
Deputy Secretary to the
Government of West Bengal

Published by the Controller of Printing & Stationery, West Bengal and printed by 1st L. A. Collector, Calcutta at DTP Press, 10 Rainey Park, Calcutta- 700 019 (1250)

Registered No. WB/SC-247

No.WB/DTP/Pt.I/CPS/96/1681
WB-4230-LA/CAL/96
Sl. No. L.A./1

The Calcutta Gazette

Extraordinary

Published by Authority

BHADRA 27] WEDNESDAY, SEPTEMBER 18, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

L & L. R. DEPARTMENT

Land Acquisition Collector

NOTICE

Calcutta No. 4229-LA(II)/1D-48/96/UD

Dated: 7.8.96

WHEREAS an area of 0.0040 hectare (0.010 of an acre), more or less, of land being portion of premises No. 86/2B, Topsia Rd. South (Southern Portion) in Ward No. 69 of the Calcutta Municipal Corporation, described below, has been requisitioned under Sub-Section (1) of Section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under Section 3 (1a) of the Act for the public purpose namely for providing proper facilite for Transport and Communication by construction of Park Circus connector to E.M. Bye Pass and for purpose connected therewith or incidental there to.

Now, therefore, notice is hereby given that in pursuance of Section 4 of the said Act, the Governor acquires such land being required for a public puurpose as aforesaid.

This notice is given under the provisions of Sub-Section (1a) of Section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the Office of the First Land Acquisition Collector, Calcutta, at No. 5, Bankshall Street, Calcutta.

Description of the Land

Premises No. 86/2B, Topsia Road South (Southern Portion) bounded on :-

North By	:	Remaining Portion of Pre. No. 86/2B, Topsia Road (South)
East By	:	Remaining Portion of Pre. No. 86/2B, Topsia Road (South)
South By	:	Pre. No. 9/2, Topsia Road (South) and Remaining Portion of 86/2B, Topsia Road (South).
West By	:	Premises No. 9/2, Topsia Road (South) Calcutta.

By order of the Governor,
P. K. Guha Roy
Deputy Secretary to the
Government of West Bengal

Published by the Controller of Printing & Stationery, West Bengal and printed by 1st L. A. Collector, Calcutta at DTP Press, 10 Rainey Park, Calcutta- 700 019 (1250)

Registered No. WB/SC-247

No.WB/DTP/Pt.I/CPS/96/1682
WB-4337-LA/CAL/96
Sl. No. L.A./1

The Calcutta Gazette

Extraordinary

Published by Authority

BHADRA 27] WEDNESDAY, SEPTEMBER 18, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

L & L. R. DEPARTMENT

Land Acquisition Collector

NOTICE

Calcutta No. 4336-LA(II)/1D-61/95/UD

Dated: 13.8.96

WHEREAS an area of 0.0182 hectare (0.045 of an acre), more or less, of land being portion of premises No. 1/1B(Por) Nilmoni Mitra Row, Calcutta in Ward No. 5 of the Calcutta Municipal Corporation, described below, has been requisitioned under Sub-Section (1) of Section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under Section 3 (1A) of the Act for the public purpose of maintaining supplies and services essential to the life of the community, namely for Replacement of 1500 mm dia Transmission main from Talla Pumping Station to Auckland Pumping Station under water supply scheme of C.M.D.A.

Now, therefore, notice is hereby given that in pursuance of Section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of Sub-Section (1a) of Section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the Office of the First Land Acquisition Collector, Calcutta, at No. 5, Bankshall Street, Calcutta.

Description of the Land

Premises No. 1/1B)por), Nilmoni Mitra Row, Calcutta, P.S. Chitpur, C.M.C. Ward No. 5. bounded on.

North By	:	Railway Line
East By	:	Remaining Portion of Pre. No. 1/1B(Por) Nilmoni Mitra Row.
South By	:	Nilmoni Mitra Row
West By	:	Premises No. 1/1A, Nilmoni Mitra Row.

By order of the Governor,
P. K. Guha Roy
Deputy Secretary to the
Government of West Bengal

Published by the Controller of Printing & Stationery, West Bengal and printed by 1st L. A. Collector, Calcutta at DTP Press, 10 Rainey Park, Calcutta- 700 019 (1250)

REGISTERED No. DL-33004/92

The Gazette of India

EXTRAORDINARY

PART II—Section 1

PUBLISHED BY AUTHORITY

60] NO. 60 NEW DELHI, WEDNESDAY, SEPTEMBER 23, 1992/ASVINA 1, 1914

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 23rd September, 1992/Asvina 1, 1914 (Saka)

THE INTEREST ON DELAYED PAYMENTS TO SMALL SCALE AND ANCILLARY INDUSTRIAL UNDERTAKINGS ORDINANCE, 1992

No. 15 of 1992

Promulgated by the President in the Forty-third Year of the Republic of India.

An Ordinance to provide for and regulate the payment of interest on delayed payments to small scale and ancillary industrial undertakings and for matters connected therewith or incidental thereto.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render if necessary for him to take immediate action ;

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance :—

Short title, extent and commencement.

1. (*1*) This Ordinance may be called the Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings Ordinance, 1992.

(*2*) It extends to the whole of India except the State of Jammu and Kashmir.

(*3*) It shall come into force at once.

Definitions.

2. In this Ordinance, unless the context otherwise requires,—

(*a*) "ancillary industrial undertaking" has the meaning assigned to it by clause (*aa*) of section 3 of the Industries (Development and Regulation) Act, 1951 ; 65 of 1951.

(*b*) "appointed day" means the day following immediately after the expiry of the period of thirty days from the day of acceptance or the day of deemed acceptance of any goods or any services by a buyer from a supplier.

Explanation.—For the purposes of this clause,—

(*i*) "the day of acceptance" means,—

(*a*) the day of the actual delivery of goods or the rendering of services ;

or

(*b*) where any objection is made in writing by the buyer regarding acceptance of goods or services within thirty days from the day of the delivery of goods or the rendering of services, the day on which such objection is removed by the supplier ;

(*ii*) "the day of deemed acceptance" means, where no objection is made in writing by the buyer regarding acceptance of goods or services within thirty days from the day of the delivery of goods or the rendering of services, the day of the actual delivery of goods or the rendering of services ;

(*c*) "buyer" means whoever buys any goods or receives any services from a supplier for consideration ;

(*d*) "goods" means every kind of movable property other than actionable claims and money ;

(*e*) "small scale industrial undertaking" has the meaning assigned to it by clause (j) of section 3 of the Industries (Development and Regulation) Act, 1951 ;

(*f*) "supplier" means an ancillary industrial undertaking or a small scale industrial undertaking holding a permanent registration certificate issued by the Directorate of Industries of a State or Union territory.

Liability of buyer to make payment.

3. Where any supplies any goods or renders any services to any buyer, the buyer shall make payment therefore on or before the date agreed upon between him and the supplier in writing or, where there is no agreement in this behalf before the appointed day.

Date from which and rate at which interest is payable.

4. Where any buyer fails to make payment of the amount to the supplier, as required under section 3, the buyer shall, notwithstanding anything contained in any agreement between the buyer and the supplier or in any law for the time being in force be liable to pay interest to the supplier on that amount from the appointed day or, as the case may be, from the date immediately following the date agreed upon, at such rate which is five per cent points above the floor rate for comparable lending.

10 of 1949.

Explanation.—For the purposes of this section, "floor rate for comparable lending" means the highest of the minimum lending rates charged by scheduled banks (not being co-operative banks) on credit limits in accordance with the directions given or issued to banking companies generally by the Reserve Bank of India under the Banking Regulation Act, 1949.

5. Notwithstanding anything contained in any agreement between a supplier and a buyer or in any law for the time being in force, the buyer shall be liable to pay compound interest (with monthly rests) at the rate mentioned in section 4 on the amount due to supplier.

6. The amount due from a buyer, together with the amount of interest calculated in accordance with the provisions of sections 4 and 5, shall be recoverable by the supplier from the buyer by way of a suit or other proceeding under any law for the time being in force.

7. No appeal against any decree, award or other order shall be entertained by any court or other authority unless the appellant (not being a supplier) has deposited with it seventy-five per cent of the amount in terms of the decree, award or the case may be, other order in the manner directed by such court or, as the case may be, such authority.

Requirment to specify unpaid amount with interest in the annual settlement of accounts.

8. Where any buyer is required to get his annual accounts audited under any law for the time being in force, such buyer shall specify the amount together with interest in his annual statement of accounts as remains unpaid to any supplier at the end of each accounting year.

Interest not to be allowed as deduction from income.

9. Notwithstanding any thing contained in the Income-tax Act, 1961, the amount of interest payable or paid by any buyer, under or in accordance with the provisions of this Ordinance. shall not, for the purposes of computation of income under that Act, be allowed as deduction.

Overriding effect.

10. The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

SHANKER DAYAL SHARMA,
President.

K. L. MOHANPURIA,
Secy. to the Govt. of India.

Registered No. WB/SC-247

WB/4339/LA-II/Spl./HGLY / '96
Sl. No.-1330 LA/dt. 23-9-'96

The Calcutta Gazette

Extra-Ordinary
Published by Authority

[ASWIN-6] [MONDAY, SEPTEMBER-23, 1996] [SAKA-1917]

Part-I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

Government of West Bengal
LAND AND LAND REFORMS DEPARTMENT.
LAND ACQUISITION

NOTICE

Hooghly No. 4338 / L. A. (II)/MD/1G-1/90 Dated—13-8-96

WHEREAS (0·2486 Hectare) 0·703 acres more or less, of land situate in or near the villages of Chandernagore described below has been requisitioned under Sub-Section (1) of Section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under Section 3 (1A) for the said Act for the public purpose of providing facilities for Acquisition of land for laying trunk main sewer under Chandernagore Zone Sewerage Scheme.

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act the Governor acquired such land being required for a public purpose as aforesaid. This notice is given under the provisions of sub-section (1a) of Section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Collector, Hooghly.

DESCRIPTION OF THE LAND

Mouza—Chandernagore, J. L. No.—1, Sheet No.—16, Police Station—Chandernagore, District—Hooghly.

Revisional Survey plots in full—545

Revisional Survey plots in part :—

Plot No.	Specific portion of plot	Area in acre	Area in Hectare
486	South Western	·005	·0020
488	Middle	·005	·0020
489	Eastern	·050	·0202
490	Middle	·005	·0020
535	Middle	·040	·0162
541	Middle	·025	0101
542	Western	·020	·0081
544	Middle	·005	·0020
546	Middle	·088	·0356
548	Middle	·030	·0121
489/550	Middle	·015	·0060

Mouza—Chandernagore, J. L. No.—1, Sheet No.—17, Police Station—Chandernagore, Hooghly.

Revisional Survey plots in part :—

Plot No.	Specific Portion of Plot	Area in acre	Area in Hectre
145	Eastern	·088	·0356
147	Middle	·005	·0020
149	Middle	·038	·0154
202	Eastern	·010	·0040
203	Eastern	·010	·0040
204	Eastern	·018	·0074
205	North Eastern	·005	·0020
206	Eastern	·056	·0227
208	Eastern	·005	·0020
600	Eastern	·005	·0020

By order of the Governor
P. K. GUHA ROY
Deputy Secretary to the
Govt. of West Bengal.

Published by the C. P. S., W. B. and Printed by D. M. Hooghly at Puspa Printers,
Post—Chinsurah, District—Hooghly, Pin—712101

Registered No. WB/SC-247 No. WB(Part-I)/96/SAR-233

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASVINA 4] THURSDAY, SEPTEMBER 26, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

JUDICIAL DEPARTMENT

No. JF/ME/22 Calcutta, the 26th September, 1996.

NOTIFICATION

In exercise of the power conferred by sub-section (2) of section 1 of the Murshidabad Estate (Management of Properties) and Miscellaneous Provisions (Amendment) Act, 1996 (West Ben. Act XI of 1996), the Governor is pleased hereby to appoint the 1st day of October, 1996, as the date on which the said Act shall come into force.

By order of the Governor,

P. K. SENGUPTA,

Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-242

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASVINA 15] MONDAY, OCTOBER 7, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 2603-F.T. Calcutta, the 7th October, 1996.

NOTIFICATION

It is notified for general information that the Governor is pleased to set up, with effect from the 7th day of October, 1996, the Tax Recovery Wing under the Commercial Taxes Directorate, West Bengal at the Administrative Building, Salt Lake City, Calcutta-700 091, having jurisdiction over the districts of North 24-Parganas, South 24-Parganas and Calcutta.

By order of the Governor,

N. BARMAN ROY,
Dy. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-III)/96/SAR-30

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASVINA 16] TUESDAY, OCTOBER 8, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 2226-L.—8th October, 1996.—The following Act of the West Bengal Legislature, having been assented to by the President of India, is hereby published for general information:—

West Bengal Act XXV of 1996

THE WEST BENGAL LAND (REQUISITION AND ACQUISITION) (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the President of India was first published in the *Calcutta Gazette, Extraordinary*, of the 8th October, 1996.]

An Act to amend the West Bengal Land (Requisition and Acquisition) Act, 1948, as re-enacted by the West Bengal Land (Requisition and Acquisition) Re-enacting Act, 1977.

WHEREAS it is expedient to amend the West Bengal Land (Requisition and Acquisition) Act, 1948, as re-enacted by the West Bengal Land (Requisition and Acquisition) Re-enacting Act, 1977, for the purposes and in the manner hereinafter appearing; West Ben. Act II of 1948. West Ben. Act XV of 1977.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the West Bengal Land (Requisition and Acquisition) (Amendment) Act, 1996.

(2) It shall be deemed to have come into force on the 1st day of April, 1994.

The West Bengal Land (Requisition and Acquisition) (Amendment) Act, 1996.

(Sections 2, 3.)

Amendment of section 7 of West Ben. Act II of 1948.

2. In section 7 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (hereinafter referred to as the principal Act) as re-enacted by the West Bengal Land (Requisition and Acquisition) Re-enacting Act, 1977,—

(1) in sub-section (1),—

(a) for the words, figures and brackets "in sub-section (1) of section 23", the words, figures, letter and brackets "in sub-sections (1), (1A) and (2) of section 23" shall be substituted, and

(b) the second proviso shall be omitted;

(2) in clause (a) of sub-section (2), for the words, figures and brackets "in sub-section (2) of section 23", the words, figures, letter and brackets "in sub-section (1), (1A) and (2) of section 23" shall be substituted.

Insertion of new section 7A.

3. After section 7 of the principal Act, the following section shall be inserted:—

"Award by Collector.

7A. The Collector shall make an award under sub-section (2) of section 7 within a period of three years from the date of publication of the notice in the *Official Gazette* under sub-section (1a) of section 4 (hereinafter referred to as the said notice), and if such award is not made within the period as aforesaid, the said notice shall lapse:

Provided that in a case where the said notice has been published more than two years before the commencement of the West Bengal Land (Requisition and Acquisition) (Amendment) Act, 1994, the award shall be made within a period of one year from the date of commencement of that Act.

West Ben. Act XIV of 1994.

Explanation.—In computing the period of three years or one year, as the case may be, under this section, the period during which any action or proceeding to be taken in pursuance of the said notice is stayed by an order of a Court having jurisdiction, shall be excluded.".

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-III)/96/SAR-30

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASVINA 16] TUESDAY, OCTOBER 8, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 2226-L.—8th October, 1996.—The following Act of the West Bengal Legislature, having been assented to by the President of India, is hereby published for general information:—

West Bengal Act XXV of 1996

THE WEST BENGAL LAND (REQUISITION AND ACQUISITION) (AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the President of India was first published in the *Calcutta Gazette, Extraordinary,* of the 8th October, 1996.]

An Act to amend the West Bengal Land (Requisition and Acquisition) Act, 1948, as re-enacted by the West Bengal Land (Requisition and Acquisition) Re-enacting Act, 1977.

WHEREAS it is expedient to amend the West Bengal Land (Requisition and Acquisition) Act, 1948, as re-enacted by the West Bengal Land (Requisition and Acquisition) Re-enacting Act, 1977, for the purposes and in the manner hereinafter appearing; West Ben. Act II of 1948. West Ben. Act XV of 1977.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the West Bengal Land (Requisition and Acquisition) (Amendment) Act, 1996.

(2) It shall be deemed to have come into force on the 1st day of April, 1994.

The West Bengal Land (Requisition and Acquisition) (Amendment) Act, 1996.

(Sections 2, 3.)

Amendment of section 7 of West Ben. Act II of 1948.

2. In section 7 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (hereinafter referred to as the principal Act) as re-enacted by the West Bengal Land (Requisition and Acquisition) Re-enacting Act, 1977,—

(1) in sub-section (1),—

(a) for the words, figures and brackets "in sub-section (1) of section 23", the words, figures, letter and brackets "in sub-sections (1), (1A) and (2) of section 23" shall be substituted, and

(b) the second proviso shall be omitted;

(2) in clause (a) of sub-section (2), for the words, figures and brackets "in sub-section (2) of section 23", the words, figures, letter and brackets "in sub-section (1), (1A) and (2) of section 23" shall be substituted.

Insertion of new section 7A.

3. After section 7 of the principal Act, the following section shall be inserted:—

"Award by Collector.

7A. The Collector shall make an award under sub-section (2) of section 7 within a period of three years from the date of publication of the notice in the *Official Gazette* under sub-section (1a) of section 4 (hereinafter referred to as the said notice), and if such award is not made within the period as aforesaid, the said notice shall lapse:

Provided that in a case where the said notice has been published more than two years before the commencement of the West Bengal Land (Requisition and Acquisition) (Amendment) Act, 1994, the award shall be made within a period of one year from the date of commencement of that Act.

West Ben. Act XIV of 1994.

Explanation.—In computing the period of three years or one year, as the case may be, under this section, the period during which any action or proceeding to be taken in pursuance of the said notice is stayed by an order of a Court having jurisdiction, shall be excluded.".

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 No.WB/DTP/Pt.I/CPS/96/1709

The Calcutta Gazette

Extraordinary

Published by Authority

ASWINA 18] THURSDAY, OCTOBER 10, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL
Judicial Department

NOTIFICATION

No. JF/W/22 Dated : 10.10.1996

WHEREAS the Board of Wakfs, West Bengal, constituted by this department notification No. 22446-J, dated the 3rd September, 1990, under the Bengal Wakf Act, 1934, (Ben. Act XIII of 1934), was superseded with immediate effect by this department notification No. 16462-J, dated the 6th September, 1995;

AND WHEREAS the said Board of Wakfs was not reconstituted or re-established under the Bengal Wakf Act, 1934 (Ben. Act XIII of 1934);

AND WHEREAS the Wakf Act, 1995, (43 of 1995), came into force in the State of West Bengal on the 1st day of january, 1996;

AND WHEREAS by virtue of the provisions of sub-section *(3)* of section 112 of the Wakf Act, 1995, (43 of 1995), the Bengal Wakf Act, 1934 (Ben. Act XIII of 1934) stood repealed with immediate effect from the 1st day of January, 1996;

AND WHEREAS sub-section *(1)* of section 99 of the Wakf Act, 1995, (43 of 1995), provides, **Inter alia**, that the State Government may, by notification in the Official Gazette, supersede a Board of Wakfs for a period not exceeding six months;

AND WHEREAS in exercise of the power conferred by clause *(a)* of sub-seciton *(3)* of section 99 of the Wakf Act, 1995, (43 of 1995), the Governor was pleased to extend the period of supersession of the said Board of Wakfs for a period of six months from the 6th day of March, 1996 or till the said Board of Wakfs was reconstituted in the manner provided in section 14 of the Wakf Act, 1995 (43 of 1995), whichever was earlier, by this department notification No. 7798-J dated the 10th June, 1996, as published in the **Calcutta Gazette, Extraordinary**, Part-I, dated the 10th June, 1996;

AND WHEREAS the said Board of Wakfs could not be reconstituted in the manner provided in section 14 of the Wakf Act, 1995 (43 of 1995) within the aforesaid extended period of six months of supersession;

AND WHEREAS in exercise of the power conferred by clause *(a)* of sub-section *(3)* of section 99 of the Wakf Act, 1995 (43 of 1995), the Governor was pleased to extend the period of supersession of the said Board of Wakfs for a further period of 45 days from the 6th day of September, 1996 or till the said Board of Wakfs was reconstituted in the manner provided in section 14 of the Wakf Act, 1995 (43 of 1995), whichever was earlier, by this department notification No. JF/W/17, dated the 3rd September, 1996, as published in the Calcutta Gazette, Extraordinary, Part-I, dated the 3rd September, 1996;

NOW, THEREFORE, in exercise of the power conferred by clause *(b)* of sub-section *(3)* of section 99 of the Wakf Act, 1995 (43 of 1995), the Governor is pleased hereby to reconstitute, with immediate effect, the West Bengal Board of Wakfs in the manner provided in section 14 of the Wakf Act, 1995 (43 of 1995) with the following ten members :-

I. **Elected Members :**

A. Electoral College consisting of Muslim Members of Parliament from the State of West Bengal (under section 14 *(1) (b) (i)* of the Wakf Act, 1995) :-

1. Masudal Hussain, M.P.

B. Electoral College consisting of Muslim Members of the State Legislature (under section 14 *(1) (b) (ii)* of the Wakf Act, 1995) :-

1. Murseleen Mulla, M.L.A.
2. Sultan Ahmed, M.L.A.

C. Electoral College consisting of Muslim Members of the Bar Council of the State (under section 14 *(1) (b) (iii)* of the Wakf Act, 1995) :-

1. Qazi Shafiullah, Advocate.

D. Electoral College consisting of mutwallis of the wakfs having an annual income of rupees one lakh and above (under section 14 *(1) (b) (iv)* of the Wakf Act, 1995) :-

1. Afaquzzaman Khan,
   5, Ballygunge Circular Road, Calcutta-19.
2. Mannan Deewan,
   Village and post office Ghutiari Sharif,
   South 24-Parganas.

II. **Members nominated by the State Government :**

A. Members representing eminent Muslim organisations (under section 14 *(1) (c)* of the Wakf Act, 1995 :-

1. Ismail Nehal, Secretary, Anjuman Mofidul Islam, 1A, Noor Ali Lane, Calcutta-14.

B. Members from recognised scholars in Islamic Theology (under section 14 *(1) (d)* of the Wakf Act, 1995) :-

1. Maulana Abu Mahfuzul Karim Masoomi,
   Retired Professor of hadith and Tafseer,
   Calcutta Madrasa,
   33/1C, hare Krishna konar Road, Calcutta-14.
2. Maulana Ghulamussaiyadain Najfi,
   Imam of Jama Masjid, Iron Gate Mosque,
   Garden Reach Road, Calcutta-24.

C. An officer of the State Government not below the rank of Deputy Secretary (under section 14 *(1) (e)* of the Wakf Act, 1995) :-

1. Md. Ansar Alam, W.B.C.S. (Executive),
   Joint Secretary, Calcutta Metropolitan Development Authority.

The members of the reconstituted West Bengal Board of Wakfs shall elect one from amongst themselves as the Chairman of the Board under the provisions of sub-section *(8)* of section 14 of the Wakf Act, 1995 (43 of 1995) at the meeting convened for the purpose in accordance with the provisions of the West Bengal Board of Wakfs (Election of Chairperson) Rules, 1996, published under this department notification No. JF/W/18, dated the 23rd September, 1996, in the Calcutta Gazette, Extraordinary, Part-I, dated the 24th September, 1996.

By order of the Governor,

P.K. Sengupta
Secy. to the Govt. of West Bengal.

Published by the Controller of Printing & Stationery, West Bengal and printed at DTP Press, 10 Rainey Park, Calcutta – 700 019

Registered No. WB/SC-247 No. WB(Part-I)/96/SAR-307

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

ASVINA 19] FRIDAY, OCTOBER 11, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 2659-F.T. Calcutta, the 11th October, 1996.

RESOLUTION

The Governor has been pleased to set up a Procedural and Structural Reorganisation Committee to examine and advise on the working procedures of the Commercial Taxes Directorate, West Bengal. The composition of the Committee will be as follows:—

1. Commissioner of Commercial Taxes, West Bengal. .. *Chairman.*
2. Shri B. Sen,
   Additional Commissioner of Commercial Taxes, West Bengal. .. *Member.*
3. Adviser, Resources,
   West Bengal State Planning Board. .. *Member.*
4. Shri N. R. Chatterjee,
   Officer-on-Special Duty and Deputy Commissioner of Commercial Taxes,
   West Bengal. .. *Member-Secretary.*

2. The terms of reference of the Committee shall be as follows:—
   (1) To examine the present method of functioning of the Commercial Taxes Directorate, West Bengal including the Rules, Forms, Notifications, Circulars and established conventions governing such functioning.
   (2) To examine the replacement of those working procedures that tend to cause delays and which are disproportionate to the quantum of revenue obtained through them.
   (3) To suggest new procedures, manual more commensurate with the fast-changing trade practices and with a view to augmenting revenue collection, as well as to bring in mere transparency and speed in disposal.
   (4) To examine the present organisational structure of the Directorate, including its Sub-Offices, and to suggest appropriate redeployment and reorganisation of functions, posts, territorial units and the headquarters set up.
   (5) To examine the important aspects of the structure/functioning of the Commercial Tax Organisation of other successful States, in so far as Sales Tax and Profession Tax collections are concerned.

3. The Committee will submit their first set of recommendations within a period of six months from the date of order notifying the constitution of the Committee and will submit their final set of recommendations within a period of another six months from the date of submission of their first set of recommendations.

ORDER

Ordered that the resolution be published in the *Calcutta Gazette* for general information.

By order of the Governor,

N. BARMAN ROY,
Dy. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-326

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

KARTIKA 7] TUESDAY, OCTOBER 29, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 2750-F.T. Calcutta, the 29th October, 1996.

NOTIFICATION

In exercise of the power conferred by section 18 of the West Bengal Taxation Tribunal Act, 1987 (West Ben. Act VIII of 1987), the Governor is pleased hereby to make the following amendment in the West Bengal Taxation Tribunal Rules, 1988 (hereinafter referred to as the said rules):—

Amendment

In the said rules, after rule 6, *add* the following rule:—

"7. *Manner of deposit or realisation of fines imposed on a contemner in contempt proceedings.*—(1) Where a fine is imposed by any Bench on conviction for contempt, such fine shall, unless the Bench directs otherwise, be deposited with the Registrar or the Additional Registrar, against receipt.

(2) Where a fine imposed upon a contemner is not deposited in accordance with sub-rule (1), the same may be recovered in accordance with the provisions of section 421 of the Code of Criminal Procedure, 1973 (2 of 1974).

(3) Any fine deposited under sub-rule (1) or recovered under sub-rule (2), shall be deposited by the Registrar or the Additional Registrar into the Reserve Bank of India in accordance with the regulations.".

By order of the Governor,

N. BARMAN ROY,
Dy. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IIIA)/96/SAR-9

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

KARTIKA 8] WEDNESDAY, OCTOBER 30, 1996 [SAKA 1918

PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Ordinance No. IX of 1996

THE DURGAPUR MUNICIPAL CORPORATION (AMENDMENT) ORDINANCE, 1996.

WHEREAS it is expedient to amend the Durgapur Municipal Corporation Act, 1994, for the purposes and in the manner hereinafter appearing; West Ben. Act LIII of 1994.

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

AND WHEREAS the instructions of the President under the proviso to clause (1) of article 213 of the Constitution of India have been obtained;

The Governor is pleased, in exercise of the power conferred by clause (1) of the said article, to make and promulgate the following Ordinance:—

Short title and commencement

1. (1) This Ordinance may be called the Durgapur Municipal Corporation (Amendment) Ordinance, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

The Durgapur Municipal Corporation (Amendment) Ordinance, 1996.

(Section 2.)

Amendment of section 4 of West Ben. Act LIII of 1994.

2. In section 4 of the Durgapur Municipal Corporation Act, 1994,—

(1) in sub-section (1),—

(a) the figure and brackets "(1)" shall be omitted, and

(b) in the proviso, for the words "and come into force in Durgapur if so directed by the State Government by notification and not otherwise.", the words ", and shall be deemed to have come into force in, Durgapur." shall be substituted;

(2) sub-section (2) shall be omitted.

CALCUTTA,
The 29th October, 1996.

K. V. RAGHUNATHA REDDY,
Governor of West Bengal.

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-329

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

KARTIKA 9] THURSDAY, OCTOBER 31, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 2774-F.T. Calcutta, the 31st October, 1996.

RESOLUTION

The Governor has been pleased to reconstitute the Sales Tax Advisory Committee at the State level for a period of two years from the 1st October, 1996 to consider and advise on matters connected with the administration of Sales tax law. The composition of the Committee will be as follows:—

(1) Secretary to the Government of West Bengal, Finance Department — *Chairman.*

(2) Special/Joint Secretary, Finance Department — *Member.*

(3) Joint Registrar of Co-operative Societies (Consumers), West Bengal — *Member.*

(4) Director of Industries, West Bengal — *Member.*

(5) Director, Cottage and Small Scale Industries, West Bengal — *Member.*

(6) One representative from each of the following Chambers of Commerce/Associations as Member:—

(i) Bengal Chamber of Commerce and Industry, Calcutta.

(ii) Indian Chamber of Commerce, Calcutta.

(iii) Bengal National Chamber of Commerce and Industry, Calcutta.

(iv) Bharat Chamber of Commerce, Calcutta.

(v) Oriental Chambers of Commerce, Calcutta.

(vi) Merchants' Chambers of Commerce, Calcutta.

(vii) Calcutta Chamber of Commerce, Calcutta.

(viii) Federation of Small and Medium Industries, West Bengal.

(ix) National Alliance of Young Entrepreneurs, Eastern Zone, Calcutta.

(x) Confederation of Engineering Industries, Eastern Region, Calcutta.

(xi) Commercial Taxes Bar Association. Calcutta.

(xii) Commercial Taxes Practitioners' Association, Calcutta.

(xiii) Federation of Associations of Cottage and Small Scale Industries, West Bengal.

(7) Head of the Department of Economics, University of Calcutta — *Member.*

(8) Dr. Anupam Gupta, Professor and Head of the Departments of Economics and Politics, Viswa-bharati, Santiniketan — *Member.*

(9) Commissioner, Commercial Taxes, West Bengal — *Member-Secretary.*

It shall be open to the Government, if they so choose, to ask any other person—official or non-official—to attend the meeting of the Committee as special invitee.

2. The Committee may consider and advise on any procedural or administrative matter of general interest to the trade, industry or consumers in relation to Sales tax which may be referred to it by the Government or any Member. The Committee shall function in an advisory capacity and its recommendation will not be binding on the State Government.

3. The Committee shall meet at Calcutta at least once in six months to discuss the agenda to be prepared and circulated in advance by the Member-Secretary. The agenda of the meeting may include subjects referred to the Committee by the Government or proposed by any Member but a Member who proposes to include a subject in the agenda shall ordinarily give fifteen days' notice thereof to the Member-Secretary.

4. The headquarters of the Committee shall be in Calcutta.

5. The incidental expenditure in connection with the holding of the meeting of the Committee shall be met from the budget under the head "2040—Taxes on Sales, Trades, etc.".

ORDER

Ordered that the resolution be published in the "*Calcutta Gazette*" for general information.

Ordered also that copies of the resolution be sent to all Departments of this Government, Ministry of Finance, Department of Revenue, Government of India, New Delhi, the Accountant General, West Bengal, Revenue Audit Wing of the Office of Accountant General-II, West Bengal, Nizam Palace, Calcutta, the Commissioner of Commercial Taxes, West Bengal, and the Secretaries of the Chambers of Commerce/Associations concerned, Head of the Department of Economics, University of Calcutta, and Dr. Anupam Gupta, Professor and Head of the Departments of Economics and Politics, Viswa-bharati, Santiniketan.

By order of the Governor,

S. K. GANGOPADHYAY,
Asstt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-I)/96/SAR-330

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

KARTIKA 14] TUESDAY, NOVEMBER 5, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

No. 2812-F.T. Calcutta, the 5th November, 1996.

NOTIFICATION

In exercise of the power conferred by sub-section (1), read with clause (c) of sub-section (2), of section 18 of the West Bengal Taxation Tribunal Act, 1987 (West Ben. Act VIII of 1987), the Governor has been pleased to make, with effect from the 1st day of September, 1995, the following amendment in the West Bengal Taxation Tribunal (Salaries, Allowances and Conditions of Service of Chairman and Other Members) Rules, 1988, as subsequently amended (hereinafter referred to as the said rules):—

Amendment

For rule 7 of the said rules, *substitute* the following rule:—

"7. **Leave.**—The Chairman and other Members shall be entitled to such leave as is admissible to a Judge of High Court under any law for the time being in force.".

By order of the Governor,

N. BARMAN ROY,
Dy. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247 **No. WB(Part-III)/96/SAR-32**

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

AGRAHAYANA 19] TUESDAY, DECEMBER 10, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 3127-L.—10th December, 1996.—The following Act of the West Bengal Legislature, having been assented to by the President of India, is hereby published for general information:—

West Bengal Act XXVI of 1996

THE BENGAL, AGRA AND ASSAM CIVIL COURTS (WEST BENGAL AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the President of India was first published in the *Calcutta Gazette, Extraordinary,* of the 10th December, 1996.]

An Act to amend the Bengal, Agra and Assam Civil Courts Act, 1887, in its application to West Bengal.

WHEREAS it is expedient to amend the Bengal, Agra and Assam Civil Courts Act, 1887, in its application to West Bengal, for the purposes and in the manner hereinafter appearing; 12 of 1887.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Act, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Act, 1996.

(Sections 2-7.)

Application of the Act.

2. The Bengal, Agra and Assam Civil Courts Act, 1887 (hereinafter referred to as the principal Act) shall, in its application to West Bengal, be amended for the purposes and in the manner hereinafter provided.

Amendment of section 3

3. In section 3 of the principal Act,—

(1) in clause (3), for the words "Assistant District Judge;", the words and brackets "Civil Judge (Senior Division);" shall be substituted;

(2) in clause (4), for the word "*Munsif.*", the words and brackets "Civil Judge (Junior Division)." shall be substituted.

Amendment of section 4

4. In section 4 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judges and *Munsifs.*", the words and brackets "Civil Judges (Senior Division) and Civil Judges (Junior Division)." shall be substituted;

(2) for the words "Assistant District Judges and *Munsifs*", the words and brackets "Civil Judges (Senior Division) and Civil Judges (Junior Division)" shall be substituted.

Amendment of section 6.

5. In section 6 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judges.", the words and brackets "Civil Judges (Senior Division)." shall be substituted;

(2) in sub-section (1),—

(a) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted, and

(b) for the words "Assistant District Judges" in the two places where they occur, the words and brackets "Civil Judges (Senior Division)" shall be substituted;

(3) in sub-section (2), for the words "Assistant District Judge", wherever they occur, the words and brackets "Civil Judge (Senior Division)" shall be substituted.

Amendment of section 10

6. In section 10 of the principal Act,—

(1) in sub-section (1), for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted;

(2) in sub-section (2), for the words "Assistant District Judge,", the words and brackets "Civil Judge (Senior Division)," shall be substituted.

Amendment of section 11.

7. In section 11 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judge.", the words and brackets "Civil Judge (Senior Division)." shall be substituted;

(2) in sub-section (1), for the words "Assistant District Judge" in the two places where they occur, the words and brackets "Civil Judge (Senior Division)" shall be substituted;

(3) in sub-section (3), for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted;

(4) in sub-section (4), for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted.

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Act, 1996.

(Sections 8-12.)

Amendment of section 13.

8. In section 13 of the principal Act,—

(1) in sub-section (2),—

(a) for the words "Assistant District Judges or to two or more *Munsifs*,", the words and brackets "Civil Judges (Senior Division) or to two or more Civil Judges (Junior Division)," shall be substituted, and

(b) for the words "Assistant District Judge or *Munsif*,", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)," shall be substituted;

(2) in sub-section (3),—

(a) for the words "Assistant District Judges or to one of two or more *Munsifs*,", the words and brackets "Civil Judges (Senior Division) or to one of two or more Civil Judges (Junior Division)," shall be substituted, and

(b) for the words "Assistant District Judge or *Munsif*", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)" shall be substituted;

(3) in sub-section (4), for the words "Assistant District Judge or *Munsif*" in the two places where they occur, the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)" shall be substituted.

Amendment of section 18.

9. In section 18 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judge.", the words and brackets "Civil Judge (Senior Division)." shall be substituted;

(2) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted.

Amendment of section 19.

10. In section 19 of the principal Act,—

(1) in the marginal note, for the word "*Munsifs*.", the words and brackets "Civil Judges (Junior Division)." shall be substituted;

(2) in sub-section (1), for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted;

(3) in sub-section (2), for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted.

Amendment of section 21

11. In section 21 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judges and *Munsifs*.", the words and brackets "Civil Judges (Senior Division) and Civil Judges (Junior Division)." shall be substituted;

(2) in sub-section (1), for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted;

(3) in sub-section (2), for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted;

(4) in sub-section (4),—

(a) for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted, and

(b) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted.

Amendment of section 22.

12. In section 22 of the principal Act,—

(1) in the marginal note,—

(a) for the words "Assistant District Judges", the words and brackets "Civil Judges (Senior Division)" shall be substituted, and

(b) for the word "*Munsifs*.", the words and brackets "Civil Judges (Junior Division)." shall be substituted;

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Act, 1996.

(Sections 13-17.)

(2) in sub-section (1),—

(a) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted, and

(b) for the word "*Munsifs.*", the words and brackets "Civil Judges (Junior Division)." shall be substituted.

Amendment of section 23

13. In section 23 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judge or *Munsif*", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)" shall be substituted;

(2) in sub-section (1), for the words "Assistant District Judge or *Munsif*" in the two places where they occur, the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)" shall be substituted;

(3) in sub-section (3), for the words "Assistant District Judge or *Munsif*,", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)," shall be substituted.

Amendment of section 24

14. In section 24 of the principal Act,—

(1) in sub-section (1),—

(a) for the words "Assistant District Judge or *Munsif*,", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)," shall be substituted;

(b) in the proviso, for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted;

(2) in sub-section (2), for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted.

Amendment of section 25

15. In section 25 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judges and *Munsifs*", the words and brackets "Civil Judges (Senior Division) and Civil Judges (Junior Division)" shall be substituted;

(2) (a) for the words "Assistant District Judge" in the two places where they occur, the words and brackets "Civil Judge (Senior Division)" shall be substituted, and

(b) for the word "*Munsif*" in the two places where it occurs, the words and brackets "Civil Judge (Junior Division)" shall be substituted.

Amendment of section 36

16. In section 36 of the principal Act, in sub-section (3),—

(1) for the word "*Munsif*" in the two places where it occurs, the words and brackets "Civil Judge (Junior Division)" shall be substituted, and

(2) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted.

Supplementary provision

17. With effect from the date of commencement of this Act, any reference to the Assistant District Judge or *Munsif* in—

(a) any Bengal Act or West Bengal Act, or

(b) any Central Act with respect to any of the matters enumerated in List III in the Seventh Schedule to the Constitution of India (hereinafter referred to as the Constitution), or

(c) any order, rule, bye-law or notification issued under any Bengal Act or West Bengal Act, or

(d) any notification, order, rule or bye-law issued under any Central Act or Regulation, or

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Act, 1996.

(Section 18.)

(e) any rule made and issued by the High Court under article 227 of the Constitution,

shall be construed as reference to the Civil Judge (Senior Division) or Civil Judge (Junior Division), as the the case may be.

Saving of suits, proceedings and appeals

18. (1) Any suit or proceeding pending in the Court of an Assistant District Judge or *Munsif* shall, on the coming into force of this Act, be disposed of as if such suit or proceeding had been instituted in the Court of the Civil Judge (Senior Division) or Civil Judge (Junior Division), as the case may be.

(2) Nothing in this Act shall affect any appeal from a decree or order of an Assistant District Judge or *Munsif* pending in the Court of the District Judge or in the High Court, as the case may be, on the date on which this Act comes into force, and every such appeal shall be continued as if this Act had not been passed.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-III)/96/SAR-32

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

AGRAHAYANA 19] TUESDAY, DECEMBER 10, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 3127-L.—10th December, 1996.—The following Act of the West Bengal Legislature, having been assented to by the President of India, is hereby published for general information:—

West Bengal Act XXVI of 1996

THE BENGAL, AGRA AND ASSAM CIVIL COURTS (WEST BENGAL AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the President of India was first published in the *Calcutta Gazette, Extraordinary,* of the 10th December, 1996.]

An Act to amend the Bengal, Agra and Assam Civil Courts Act, 1887, in its application to West Bengal.

WHEREAS it is expedient to amend the Bengal, Agra and Assam Civil Courts Act, 1887, in its application to West Bengal, for the purposes and in the manner hereinafter appearing; 12 of 1887.

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Act, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Act, 1996.

(Sections 2-7.)

Application of the Act.

2. The Bengal, Agra and Assam Civil Courts Act, 1887 (hereinafter referred to as the principal Act) shall, in its application to West Bengal, be amended for the purposes and in the manner hereinafter provided.

Amendment of section 3.

3. In section 3 of the principal Act,—

(1) in clause (3), for the words "Assistant District Judge;", the words and brackets "Civil Judge (Senior Division);" shall be substituted;

(2) in clause (4), for the word "*Munsif.*", the words and brackets "Civil Judge (Junior Division)." shall be substituted.

Amendment of section 4.

4. In section 4 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judges and *Munsifs.*", the words and brackets "Civil Judges (Senior Division) and Civil Judges (Junior Division)." shall be substituted;

(2) for the words "Assistant District Judges and *Munsifs*", the words and brackets "Civil Judges (Senior Division) and Civil Judges (Junior Division)" shall be substituted.

Amendment of section 6.

5. In section 6 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judges.", the words and brackets "Civil Judges (Senior Division)." shall be substituted;

(2) in sub-section (1),—

(a) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted, and

(b) for the words "Assistant District Judges" in the two places where they occur, the words and brackets "Civil Judges (Senior Division)" shall be substituted;

(3) in sub-section (2), for the words "Assistant District Judge", wherever they occur, the words and brackets "Civil Judge (Senior Division)" shall be substituted.

Amendment of section 10

6. In section 10 of the principal Act,—

(1) in sub-section (1), for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted;

(2) in sub-section (2), for the words "Assistant District Judge,", the words and brackets "Civil Judge (Senior Division)," shall be substituted.

Amendment of section 11.

7. In section 11 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judge.", the words and brackets "Civil Judge (Senior Division)." shall be substituted;

(2) in sub-section (1), for the words "Assistant District Judge" in the two places where they occur, the words and brackets "Civil Judge (Senior Division)" shall be substituted;

(3) in sub-section (3), for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted;

(4) in sub-section (4), for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted.

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Act, 1996.

(Sections 8-12.)

Amendment of section 13.

8. In section 13 of the principal Act,—

(1) in sub-section (2),—

(a) for the words "Assistant District Judges or to two or more *Munsifs*,", the words and brackets "Civil Judges (Senior Division) or to two or more Civil Judges (Junior Division)," shall be substituted, and

(b) for the words "Assistant District Judge or *Munsif*,", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)," shall be substituted;

(2) in sub-section (3),—

(a) for the words "Assistant District Judges or to one of two or more *Munsifs*,", the words and brackets "Civil Judges (Senior Division) or to one of two or more Civil Judges (Junior Division)," shall be substituted, and

(b) for the words "Assistant District Judge or *Munsif*", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)" shall be substituted;

(3) in sub-section (4), for the words "Assistant District Judge or *Munsif*" in the two places where they occur, the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)" shall be substituted.

Amendment of section 18.

9. In section 18 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judge.", the words and brackets "Civil Judge (Senior Division)." shall be substituted;

(2) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted.

Amendment of section 19.

10. In section 19 of the principal Act,—

(1) in the marginal note, for the word "*Munsifs*.", the words and brackets "Civil Judges (Junior Division)." shall be substituted;

(2) in sub-section (1), for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted;

(3) in sub-section (2), for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted.

Amendment of section 21.

11. In section 21 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judges and *Munsifs*.", the words and brackets "Civil Judges (Senior Division) and Civil Judges (Junior Division)." shall be substituted;

(2) in sub-section (1), for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted;

(3) in sub-section (2), for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted;

(4) in sub-section (4),—

(a) for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted, and

(b) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted.

Amendment of section 22.

12. In section 22 of the principal Act,—

(1) in the marginal note,—

(a) for the words "Assistant District Judges", the words and brackets "Civil Judges (Senior Division)" shall be substituted, and

(b) for the word "*Munsifs*.", the words and brackets "Civil Judges (Junior Division)." shall be substituted;

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Act, 1996.

(Sections 13-17.)

(2) in sub-section (1),—

(a) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted, and

(b) for the word "*Munsifs*.", the words and brackets "Civil Judges (Junior Division)." shall be substituted.

Amendment of section 23

13. In section 23 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judge or *Munsif*", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)" shall be substituted;

(2) in sub-section (1), for the words "Assistant District Judge or *Munsif*" in the two places where they occur, the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)" shall be substituted;

(3) in sub-section (3), for the words "Assistant District Judge or *Munsif*,", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)," shall be substituted.

Amendment of section 24

14. In section 24 of the principal Act,—

(1) in sub-section (1),—

(a) for the words "Assistant District Judge or *Munsif*,", the words and brackets "Civil Judge (Senior Division) or Civil Judge (Junior Division)," shall be substituted;

(b) in the proviso, for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted;

(2) in sub-section (2), for the word "*Munsif*", the words and brackets "Civil Judge (Junior Division)" shall be substituted.

Amendment of section 25

15. In section 25 of the principal Act,—

(1) in the marginal note, for the words "Assistant District Judges and *Munsifs*", the words and brackets "Civil Judges (Senior Division) and Civil Judges (Junior Division)" shall be substituted;

(2) (a) for the words "Assistant District Judge" in the two places where they occur, the words and brackets "Civil Judge (Senior Division)" shall be substituted, and

(b) for the word "*Munsif*" in the two places where it occurs, the words and brackets "Civil Judge (Junior Division)" shall be substituted.

Amendment of section 36.

16. In section 36 of the principal Act, in sub-section (3),—

(1) for the word "*Munsif*" in the two places where it occurs, the words and brackets "Civil Judge (Junior Division)" shall be substituted, and

(2) for the words "Assistant District Judge", the words and brackets "Civil Judge (Senior Division)" shall be substituted.

Supplementary provision

17. With effect from the date of commencement of this Act, any reference to the Assistant District Judge or *Munsif* in—

(a) any Bengal Act or West Bengal Act, or

(b) any Central Act with respect to any of the matters enumerated in List III in the Seventh Schedule to the Constitution of India (hereinafter referred to as the Constitution), or

(c) any order, rule, bye-law or notification issued under any Bengal Act or West Bengal Act, or

(d) any notification, order, rule or bye-law issued under any Central Act or Regulation, or

The Bengal, Agra and Assam Civil Courts (West Bengal Amendment) Act, 1996.

(Section 18.)

(e) any rule made and issued by the High Court under article 227 of the Constitution,

shall be construed as reference to the Civil Judge (Senior Division) or Civil Judge (Junior Division), as the the case may be.

Saving of suits, proceedings and appeals.

18. (1) Any suit or proceeding pending in the Court of an Assistant District Judge or *Munsif* shall, on the coming into force of this Act, be disposed of as if such suit or proceeding had been instituted in the Court of the Civil Judge (Senior Division) or Civil Judge (Junior Division), as the case may be.

(2) Nothing in this Act shall affect any appeal from a decree or order of an Assistant District Judge or *Munsif* pending in the Court of the District Judge or in the High Court, as the case may be, on the date on which this Act comes into force, and every such appeal shall be continued as if this Act had not been passed.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-III)/96/SAR-31

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

AGRAHAYANA 19] TUESDAY, DECEMBER 10, 1996 [SAKA 1918

PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 3128-L.—10th December, 1996.—The following Act of the West Bengal Legislature, having been assented to by the President of India, is hereby published for general information:—

West Bengal Act XXVII of 1996

THE REGISTRATION (WEST BENGAL AMENDMENT) ACT, 1996.

[*Passed by the West Bengal Legislature.*]

[Assent of the President of India was first published in the *Calcutta Gazette, Extraordinary,* of the 10th December, 1996.]

An Act to amend the Registration Act, 1908, in its application to West Bengal.

WHEREAS it is expedient to amend the Registration Act, 1908, in its application to West Bengal, for the purpose and in the manner hereinafter appearing; 16 of 1908

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title, extent and commencement

1. (1) This Act may be called the Registration (West Bengal Amendment) Act, 1996.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Application of the Act.

2. The Registration Act, 1908 (hereinafter referred to as the principal Act) shall, in its application to West Bengal, be amended in the manner hereinafter provided.

The Registration (West Bengal Amendment) Act, 1996.

(Section 3.)

Amendment of section 30 of Act 16 of 1908.

3. In section 30 of the principal Act, sub-section (2) shall be omitted.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No.WB/DTP/Pt.I/CPS/96/1753

The Calcutta Gazette

Extraordinary

Published by Authority

AGRAHAYANA 22] FRIDAY, DECEMBER 13, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

Judicial Department

NOTIFICATION

No. JF/W/36

Dated, Calcutta, the 12th December, 1996.

In exercise of the power conferred by sub-section (1) of section 4 of the Wakf Act, 1995 (43 of 1995), the Governor is pleased hereby to appoint, with immediate effect, for the area comprised within the territorial jurisdiction of the Calcutta Municipal Corporation, the Joint Director of Land Records and Surveys, Government of West Bengal, to be also the Additional Survey Commissioner of Wakfs for the purpose of making a survey of wakfs existing in the said area at the date of the commencement of the said Act.

By order of the Governor,

P.K. Sengupta

Secy. to the Govt. of West Bengal.

Published by the Controller of Printing & Stationery, West Bengal and printed at DTP Press, 10 Rainey Park, Calcutta – 700 019

Registered No. WB/SC-247

No.WB/DTP/Pt.I/CPS/96/1752

The Calcutta Gazette

Extraordinary

Published by Authority

AGRAHAYANA 22] FRIDAY, DECEMBER 13, 1996 [SAKA 1918

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

Judicial Department

NOTIFICATION

No. JF/W/34

Dated, Calcutta, the 12th December, 1996.

In exercise of the power conferred by sub-section (1) of section 4 of the Wakf Act, 1995 (43 of 1995), the Governor is pleased hereby to appoint, with immediate effect, all the District Land and Land Reforms Officers of the Government of West Bengal to be also the Additional Survey Commissioners of Wakfs for the areas comprised in the respective districts over which they exercise jurisdiction as District Land and Land Reforms Officers for the purpose of making a survey of wakfs existing in their respective districts at the date of the commencement of the said Act.

By order of the Governor,

P.K. Sengupta

Secy. to the Govt. of West Bengal.

Published by the Controller of Printing & Stationery, West Bengal and printed at DTP Press, 10 Rainey Park, Calcutta – 700 019

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-35

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

AGRAHAYANA 26] TUESDAY, DECEMBER 17, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No 3266-L —17th December, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 32 of 1996

THE WEST BENGAL INLAND FISHERIES (AMENDMENT) BILL, 1996.

A
BILL

to amend the West Bengal Inland Fisheries Act, 1984.

WHEREAS it is expedient to amend the West Bengal Inland Fisheries Act, 1984, for the purpose and in the manner hereinafter appearing; West Ben Act XXV of 1984

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement

1. (1) This Act may be called the West Bengal Inland Fisheries (Amendment) Act, 1996.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

The West Bengal Inland Fisheries (Amendment) Bill, 1996.

(Clause 2.)

Amendment of section 17A of West Ben Act XXV of 1984

2. In the West Bengal Inland Fisheries Act, 1984, in section 17A, after sub-section (11), the following sub-section shall be inserted:—

"(12) An offence under sub-section (11) shall be cognizable and non-bailable.".

STATEMENT OF OBJECTS AND REASONS.

Of late, a growing tendency of filling up of water bodies for the purpose of construction, specially in urban areas and urban fringes, has come to the notice of the State Government. The matter has assumed a menacing proportion.

2. To meet the situation, the West Bengal Inland Fisheries Act, 1984 (West Ben. Act XXV of 1984), was amended, and a new section 17A was inserted, by the West Bengal Inland Fisheries (Amendment) Act, 1993 (West Ben. Act XIX of 1993).

3. It is, however, felt that to make section 17A more effective, the offence should be made cognizable and non-bailable. The purpose may be achieved by further amendment of the West Bengal Inland Fisheries Act, 1984 (West Ben. Act XXV of 1984).

4. The Bill has been framed with the above object in view.

5. There is no financial implication involved in the Bill.

CALCUTTA,
The 1st October, 1996.

KIRANMOY NANDA,
Member-in-charge.

By order of the Governor,

S. MAITRA,
Special Officer & ex officio
Jt. Secy. to the Govt. of West Bengal.

Published by the Controller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Calcutta 700 056

Registered No. WB/SC-247

No. WB(Part-IV)/96/SAR-14

The Calcutta Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PAUSA 2] MONDAY, DECEMBER 23, 1996 [SAKA 1918

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 3301-L —23rd December, 1996.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 33 of 1996

THE WEST BENGAL LAW CLERKS BILL, 1996.

A

BILL

to provide for the regulation and control of the system of registration and licensing, and the regulation of the practice and training, of law clerks in West Bengal and for matters connected therewith or incidental thereto

WHEREAS it is expedient to provide for the regulation and control of the system of regulation and licensing, and the regulation of the practice and training, of law clerks in West Bengal and for matters connected therewith or incidental thereto,

It is hereby enacted in the Forty-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows.—

CHAPTER I

Preliminary

Short title, extent and commencement

1. (1) This Act may be called the West Bengal Law Clerks Act, 1996

The West Bengal Law Clerks Bill, 1996.

(Chapter I.—Preliminary.—Clauses 2, 3.)

(2) It extendes to the whole of West Bengal.

(3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint, and different dates may be appointed for different provisions of this Act.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) "advocate" has the same meaning as in clause (a) of section 2 of the Advocates Act, 1961; 25 of 1961.

(b) "appointed day", in relation to any provision of this Act, means a day on which that provision comes into force;

(c) "law clerk" means a law clerk entered in the State roll under the provisions of this Act;

(d) "prescribed" means prescribed by rules made under this Act;

(e) "right to act" means the right to do one or all of the following acts:—

(i) to accept employment under an advocate to assist him in the work of his legal profession or to enter into an agreement with an advocate for the purpose of assisting him in the work of his legal profession;

(ii) to present application signed by an advocate of the parties to a litigation for information, supply of form, return of document, repayment of deposit, inspection or any other matter of routine nature;

(iii) to take delivery of copies or information, and to tender money, on behalf of an advocate;

(iv) to identify persons swearing affidavits;

(v) to take notes from the cause lists and books of information regarding dates of hearing, processes, process-fees due, and like matters;

(vi) to file before an officer of any court, tribunal or other authority or person legally authorised to take evidence, whether on oath or not, any document, material or thing required to be filed before such court, tribunal or other authority or person on behalf of a litigant, provided such document, material or thing is accompanied by a list of such document, material or thing and is signed by the advocate of the concerned party;

(vii) to do any other act which may be required by any rules made under any law for the time being in force or by any order issued by the State Government or the High Court;

(f) "roll" means a roll of law clerks prepared and maintained under section 8;

(g) "State Council" means a council of law clerks constituted under section 3.

State Council.

3. (1) There shall be a State Council consisting of twenty-seven members elected from amongst the law clerks on the roll in such manner and from such constituencies as may be prescribed.

(2) There shall be a Chairman, a Vice-Chairman, and a General Secretary, elected by the State Council from amongst its members in such manner as may be prescirbed.

(3) The term of office of the members of the State Council shall be three years from the date of the first meeting of the State Council:

Provided that the members of the State Council shall continue to hold office until the first meeting of the next State Council.

(4) The State Council shall be a body corporate having perpetual succession and a common seal, with power to acquire and hold properties, both moveable and immoveable, and to contract, and shall by its name sue and be sued.

The West Bengal Law Clerks Bill, 1996.

(Chapter I.—Preliminary.—Clauses 4, 5.)

Functions of State Council

4. (1) The functions of the State Council shall be—

(a) to admit persons as law clerks on the roll;

(b) to prepare and maintain the roll,

(c) to issue enrolment certificates,

(d) to entertain and determine cases of misconduct against law clerks on the roll,

(e) to safeguard the rights, privileges and interests of law clerks on the roll;

(f) to organise, conduct and manage training, as may be prescribed, for admitting persons as law clerks on the roll and to promote, encourage and organise refresher courses;

(g) to manage and invest the funds of the State Council,

(h) to provide for the election of its members;

(i) to lay down the standards of professional conduct;

(j) to lay down the procedure to be followed by its disciplinary committee;

(k) to promote and support law reforms relating to the profession of law clerks;

(l) to conduct seminer, and to organise talks, on the profession of law clerks and on legal topics and to publish journals;

(m) to publish periodicals and papers of interest to law clerks;

(n) to do all acts to provide aid for the welfare of all or any specified category or group of law clerks;

(o) to perform all other functions conferred by or under this Act;

(p) to do all other things necessary for discharging the aforesaid functions.

(2) The State Council shall constitute the following committees:—

(a) one Executive Committee consisting of seven members to be elected by the members of the State Council from amongst themselves;

(b) one Enrolment Committee consisting of five members of whom four shall be elected by the members of the State Council from amongst themselves and the other shall be an advocate elected by the members of the State Council;

(c) one or more Disciplinary Committee, each consisting of three members, of whom two shall be elected by the members of the State Council from amongst themselves and the other shall be an advocate elected by the members of the State Council.

(3) The State Council may constitute any other committee with the members from amongst its members as it may deem necessary for the purposes of carrying out the provisions of this Act:

Provided that wherever an advocate is a member of any committee, in whatever name, he shall be the Chairman or the President of that committee.

Constitution of fund

5. (1) The State Council may constitute one or more funds in the manner prescribed for the purposes of—

(a) carrying out all or any of the functions of the State Council under sub-section (1) of section 4;

(b) giving financial assistance to, or organise welfare schemes for, the indigent, disabled or other law clerks,

(2) The State Council may receive any grant, donation, gift or benefaction for all or any of the purposes mentioned in sub-section (1) and such grant, donation, gift or benefaction shall be credited to the appropriate fund or funds constituted under sub-section (1).

The West Bengal Law Clerks Bill, 1996.

(Chapter I.—Preliminary.—Clause 6.—Chapter II.—Preparation and maintenance of roll.—Clauses 7, 8.)

(3) The State Council may, for any of the purposes mentioned in sub-section (1), raise funds from among the law clerks on the roll by providing for compulsory payment by each law clerk on the roll of a sum of money, not exceeding thirty rupees, annually:

Provided that no part of the funds so raised shall be untilised for any purposes other than those mentioned in sub-section (1).

Power to make rules

6. (1) The State Government shall, in consultation with the High Court, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the election of members of the State Council by secret ballot, including the condition subject to which a person may exercise his right to vote by postal ballot, the preparation and revision of electoral rolls, and the manner in which the result of election shall be published;

(b) the manner of election of Chairman, Vice-Chairman and General Secretary of the State Council;

(c) the manner in which, and the authority by which, doubts and disputes as to the validity of an election to the State Council or the election of Chairman, Vice-Chairman or General Secretary of the State Council shall be finally decided;

(d) the filling of casual vacancy in the State Council or any Committee thereof;

(e) the powers and duties of the Chairman, the Vice-Chairman and the General Secretary of the State Council and the members of various Committees thereof;

(f) the constitution of one or more funds by the State Council for the purpose of carrying out the functions of the State Council under sub-section (1) of section 4;

(g) the summoning and holding of meetings of the State Council, the conduct of business thereat, and the number of members necessary to constitute a quorum;

(h) the constitution and functions of any committee of the State Council and the term of office of the members of any such committee;

(i) the summoning and holding of meetings of a committee of the State Council, the conduct of business of any such committee, and the number of members necessary to constitute a quorum;

(j) the qualifications and the conditions of service of the employees of the State Council;

(k) the appointment of auditors, and audit of the accounts of the State Council;

(l) the maintenance of books of account and other books by the State Council;

(m) the management and investment of the funds of the State Council.

CHAPTER II

Preparation and maintenance of roll

Class of law clerks

7. There shall be one class of law clerks for the purposes of this Act.

Preparation and maintenance of roll.

8. (1) The State Council shall prepare and maintain a roll of law clerks in which shall be entered the name and address of—

(a) any person who on the appointed day, has been working, or had previously worked for at least five consecutive years, as an advocate's clerk or licensed clerk under, and in accordance with, a licence or registration certificate granted by or under any rule, or order of a presiding officer, of a court or tribunal, and has been attached to any advocate or pleader:

Provided that such person shall make an application for such enrolment in the prescribed form and shall deposit the prescribed fee within one year from the appointed day;

(b) any other person who is admitted to be a law clerk on the roll on or after the appointed day:

Provided that no person shall be enrolled as a law clerk unless he has paid, in respect of such enrolment, an enrolment fee of two hundred rupees to the State Council:

Provided further that the State Council shall not entertain any application for enrolment unless the applicant produces a receipt showing payment of one hundred rupees as admission fee to the State Government and the original licence of law clerk granted according to law by a competent licensing authority.

(2) Entries in the roll shall be in alphabetical order and shall be subject to any rule that may be made by the State Government in this behalf.

Issue of certificate of enrolment

9. (1) There shall be issued a certificate of enrolment in the prescribed form by the State Council to every person whose name is entered in the roll. Every person whose name is so entered in the roll shall notify any change of place of his permanent residence to the State Council within ninety days of such change.

(2) Subject to the provisions of this Act and the rules made thereunder, after the appointed day, a person shall be qualified to be admitted as a law clerk on the roll, if he fulfils the following conditions:—

(a) he is a citizen of India;

(b) he has, on the date of application, completed the age of eighteen years, but has not exceeded the age of forty years;

(c) he has passed the Madhyamik Examination of the Board of Secondary Education, West Bengal, or its equivalent examination;

(d) he has completed a period of probation for one year under a law clerk acting as such for not less than five years in any court in West Bengal under a licence granted by a competent authority;

(e) he fulfils such other conditions as may, on the recommendation of the State Council or otherwise, be specified by the State Government.

(3) Notwithstanding anything contained in sub-section (2), any person, who has been a law clerk duly licensed under any law for the time being in force, may be admitted on the roll, if he makes, within one year from the appointed day, an application for such enrolment in accordance with the provisions of this Act, and pays to the State Council two hundred rupees as enrolment fee.

Bar to enrolment.

10. No person shall be admitted as a law clerk on the roll if he has been convicted of an offence involving moral turpitude:

Provided that the disqualification for enrolment as aforesaid shall cease to have effect after a period of three years has elapsed since such person has served the sentence.

Application for admission as law clerk

11. An application for admission as a law clerk shall be made in the prescribed form to the State Council.

Disposal of application for admission as law clerk

12. Every application for admission as a law clerk shall be referred by the State Council to its Enrolment Committee and, subject to any direction that may be given in writing by the State Council in this behalf, such committee shall dispose of the application in the prescribed manner:

The West Bengal Law Clerks Bill, 1996.

(Chapter II.—Preparation and maintenance of roll.—Clauses 13, 14.—Chapter III.—Issue of licence and renewal, cancellation or suspension of licence.—Clause 15.)

Provided that the State Council may, if it is satisfied, either on a reference made to it in this behalf or otherwise, that any person has got his name entered on the roll by misrepresentation of any essential fact or by fraud or undue influence, remove the name of such person from the roll after giving him an opportunity of being heard

Removal of name from roll

13. The State Council may remove from the roll the name of any law clerk on his death or on the request made in writing by a law clerk to remove his name

Power to make rules

14. (1) The State Government may make rules for carrying out the purposes of this chapter.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the time within which and the form in which a law clerk shall express his intention for the entry of his name in the roll under section 8;

(b) the form in which an application shall be made to the State Council for admission as a law clerk on the roll, and the manner in which such application shall be disposed of by the Enrolment Committee of the State Council;

(c) the condition subject to which a person may be admitted as a law clerk on the roll;

(d) the manner, including instalments, if any, in which the enrolment fee may be paid.

CHAPTER III

Issue of licence and renewal, cancellation or suspension of licence

Issue of licence

15. (1) Every person who desires to be licensed to act as law clerk in any court, tribunal or other competent authority, shall apply in his own hand-writing to the Licensing Authority and submit the following documents with such application:—

(a) document regarding educational qualifications,

(b) document regarding age and date of birth,

(c) certificate from an advocate recommending issue of licence in favour of him,

(d) document regarding his permanent address and usual place of residence,

(e) a character certificate from a responsible person, and

(f) treasury challan showing deposit of fee of fifty rupees in favour of the State Government under the appropriate Head of Account.

(2) After receiving the application with the documents mentioned in clauses (a) to (f) of sub-section (1), the Licensing Authority or any person appointed by it for the purpose shall scrutinize the application and the documents and, if necessary, make an enquiry about the bonafide of the application and the genuineness of the documents. If, on such scrutiny and enquiry, the Licensing Authority or the person appointed by it is satisfied about the bonafide of the applicant and genuineness of the documents, the Licensing Authority or such person, as the case may be, shall issue a letter to the applicant to appear before it or him on a day to be mentioned in the letter for such test, both oral and written, as may be prescribed.

(3) When the Licensing Authority is of the opinion that the applicant is a fit and proper person to be employed as a licensed law clerk, it shall enter his name in the register to be maintained for the purpose and issue to him a licence in the prescribed form. The licence shall be non-transferable and shall be renewable every five years on payment of a renewal fee of fifty rupees. The fact of renewal of a licence shall be endorsed on the back of the form of the previous licence.

The West Bengal Law Clerks Bill, 1996.

(Chapter III.—Issue of licence and renewal, cancellation or suspension of licence.—Clause 16.—Chapter IV.—Right to act.—Clauses 17, 18.)

(4) Each Licensing Authority shall, at the beginning of the year, send a copy of the register referred to in sub-section (3) and of all subsequent alterations and additions therein immediately after they are made, to the State Council and also to the other Licensing Authority, if any, at the same station, for information and for incorporation of the same in its register.

(5) Every application of a law clerk for renewal of licence shall be supported by the following documents:—

(i) a treasury challan showing deposit of renewal fee of fifty rupees;

(ii) a certificate from an advocate to whom he is attached or engaged.

Suspension or cancellation of licence

16. (1) The Licensing Authority, of its own or on receiving any recommendation of the State Council or the advocate to whom a law clerk is attached or engaged, for suspension or cancellation of the licence of the law clerk, may, by order, suspend him or remove his name from the register and cancel his licence, for reasons to be recorded in writing, after giving him a reasonable opportunity of being heard in his defence, if he is found guilty of any such misconduct as may render him unfit for the exercise of his duties as law clerk or if he is convicted for any offence involving moral turpitude. Every order of suspension of a law clerk or removal of his name from the register and every order of cancellation of licence shall be communicated forthwith by the Licensing Authority to the State Council and also the other Licensing Authorities of the district concerned. A copy of the order of such suspension or removal of name from the register and cancellation of the licence shall be given forthwith, free of cost, to the law clerk concerned

Explanation.—Any proceeding taken against a law clerk under this sub-section shall be deemed to be administrative, and not judicial, proceeding.

(2) Where the order of suspension or removal of name from the register and cancellation of licence is passed by a court subordinate to the District Judge, there shall be a right to appeal to the District Judge and where such order is passed by the District Judge, the appeal shall lie to the Secretary to the Government of West Bengal in the Judicial Department

(3) (a) The termination of agreement of attachment or engagement of a law clerk by an advocate shall not by itself result in suspension, or removal of name from the register, and cancellation of licence, of the law clerk, or removal of his name as law clerk from the roll.

(b) Notwithstanding such termination of agreement by the advocate, the law clerk shall continue to be a licensed law clerk unless and until his licence is suspended or cancelled by the Licensing Authority in accordance with the provisions of this Act and the rules made thereunder in that behalf, if any, and such law clerk shall be at liberty to enter into a fresh agreement with any other practising advocate on the strength of his existing licence:

Provided that for renewal of such licence, a certificate from an advocate shall be submitted with the application for renewal together with such other documents as may be required for such renewal under this Act.

CHAPTER IV

Right to act

Right to act

17. Subject to the provisions of this Act and the rules made thereunder, the class of law clerks referred to in section 7 shall have the right to act with effect from the appointed day.

Jurisdiction of law clerk

18. Subject to the provisions of this Act and the rules made thereunder, every law clerk, whose name is entered in the roll, shall be entitled to act throughout West Bengal, provided he holds a licence or certificate of registration as law clerk granted by a competent authority.

The West Bengal Law Clerks Bill, 1996.

(Chapter IV.—Right to act.—Clause 19 —Chapter V.—Conduct of law clerk.—Clauses 20-24.)

Conditions for acting as law clerk

19. The State Government may by rules provide for the conditions subject to which a law clerk may act as law clerk before any court, tribunal, or other authority or before any person legally authorised to take evidence or before the Registrar or the Sub-Registrar appointed under the Registration Act, 1908, or any other office. 16 of 1908

Explanation.—The right to act as law clerk shall not cease only because the State Government has not made any rules

CHAPTER V

Conduct of law clerk

Conduct and discipline

20. (1) Where, on receipt of a complaint or otherwise, the State Council has reason to believe that any law clerk on the roll has been prima facie guilty of professional or other misconduct, it shall refer the case to its Disciplinary Committee for disposal

(2) The State Council may, either of its own or on application made to it by any person interested, withdraw a proceeding pending before a Disciplinary Committee of the State Council and direct the enquiry to be made by any other Disciplinary Committee of the State Council

(3) The Disciplinary Committee of the State Council, after giving the law clerk concerned an opportunity of being heard, may make any of the following orders:—

(a) dismiss the complaint or, where the proceeding was initiated at the instance of the State Council, direct that the proceeding be filed;

(b) reprimand the law clerk;

(c) suspend the law clerk for such period as the Disciplinary Committee may deem fit

(4) Where a law clerk is suspended from practice under clauses (c) of sub-section (3), he shall have no right to practise during the period of suspension.

Time limit for disposal of complaint

21. The Disciplinary Committee of the State Council shall dispose of the complaint received by it expeditiously and in each case the proceeding shall be concluded within a period of one year from the date of initiation of the proceeding before the Disciplinary Committee of the State Council.

Summary enquiry

22. In deciding any proceeding the Disciplinary Committee of the State Council shall make summary enquiry and take such evidence in such form as may be prescribed

Appeal

23. (1) Any person aggrieved by an order of the Disciplinary Committee of the State Council made under section 20 or by an order of the State Council to admit a person as law clerk may, within ninety days of the date of the communication of the order to him, prefer an appeal to the State Government.

(2) The State Government shall form an Appellate Committee with persons who, for at least seven years, held a judicial post under the State Government or who, for at least seven years, have been practising advocate enrolled in the Bar Council of West Bengal constituted under section 3 of the Advocates Act, 1961. 25 of 1961

(3) Every such appeal shall be heard by the Appellate Committee which may dismiss the appeal and uphold the order or reverse or alter, in any manner, the decision of the Disciplinary Committee or the State Council, as the case may be, and such decision of the Appellate Committee shall be final:

Provided that the Appellate Committee shall not pass any order so as to prejudicially affect the person aggrieved without giving him a reasonable opportunity of being heard.

Disposal of proceeding by Appellate Committee

24. The Appellate Committee shall also hear and dispose of any proceeding which a Disciplinary Committee of the State Council fails to dispose of within a period of one year under section 19.

The West Bengal Law Clerks Bill, 1996.

(Chapter V.—Conduct of law clerk.—Clauses 25-28.—Chapter VI.—Miscellaneous.—Clauses 29-31.)

Stay of order.

25. (1) On admission of an appeal, the Appellate Committee may, for sufficient cause, direct the stay of any order passed by the Disciplinary Committee of the State Council on such terms and conditions as it may deem fit.

(2) On application made to it, the Disciplinary Committee of the State Council, after it passes the final order in any proceeding may, for sufficient cause, direct the stay of such order on such terms and conditions as it may deem fit.

Order to be entered in roll.

26. (1) All orders passed by the Disciplinary Committee of the State Council or the Appellate Committee punishing a law clerk shall be entered against his name in the roll and communicated to the Licensing Authority and the advocate to whom he is attached or engaged:

Provided that where the name of a law clerk is removed from the roll, his name shall be struck off the roll.

(2) Where any law clerk is suspended or removed from practice, the certificate granted to him under section 9 in respect of his enrolment shall be recalled.

Proceeding not to be invalid

27. Notwithstanding the absence of any member other than the Chairman of a Disciplinary Committee of the State Council or the Appellate Committee on a day fixed for the hearing of a case before such committee, the Disciplinary Committee of the State Council or the Appellate Committee, as the case may be, if it so thinks fit, hold or continue the proceeding and no order made by the Disciplinary Committee of the State Council or the Appellate Committee in any such proceeding shall be invalid merely by reason of the absence of any such member thereof on any such date:

Provided that no final order shall be made in any proceeding unless the Chairman and other members of the Disciplinary Committee of the State Council or the Appellate Committee, as the case may be, are present.

Realisation of costs.

28. The Disciplinary Committee of the State Council or the Appellate Committee may make such order as to the costs of any proceeding before it as it may deem fit and any person ordered to pay such costs shall be deemed to be a "certificate debtor" under the Bengal Public Demands Recovery Act, 1913, and shall be realised under the said Act. Ben Act III of 1913.

CHAPTER VI

Miscellaneous

Penalty.

29. Any person who acts as a law clerk, although he is not entitled to act so under the provisions of this Act, shall be punishable with imprisonment for a term which may extend to six months.

Protection of action taken in good faith

30. No suit or other legal proceeding shall lie against the State Council or any committee thereof or a member of the State Council or any committee thereof for any act which is in good faith done or intended to be done in pursuance of the provisions of this Act or of any rules made thereunder.

Supersession of State Council.

31. (1) Where the State Council is unable to perform its functions for any reason whatsoever or mismanages its affairs, the State Government may, after making an enquiry and hearing the State Council supersede the State Council and appoint an Administrator to perform all or any of the duties and exercise all or any of the powers of the State Council for a period not exceeding six months:

Provided that the Administrator shall complete the election of the State Council within four months from the date of his appointment in accordance with the provisions of this Act and the rules made thereunder:

Provided further that any person having the custody of funds or documents of the State Council shall within fifteen days from the date of appointment of the Administrator, make over all documents or funds in his custody or charge.

The West Bengal Law Clerks Bill, 1996.

(Chapter VI.—Miscellaneous.—Clause 32.—Chapter VII.—Temporary and transitory provisions.—Clauses 33, 34.)

(2) Any person who, having custody of documents or funds, fails to make over to the Administrator within fifteen days from the date of his appointment such documents or funds and any person who, on receipt of a requisition from the Administrator to make over documents or funds of the State Council, fails without sufficient cause to make over such documents or funds within fifteen days from the date of receipt of the requisition, shall be punished with imprisonment for a term which may extend to two years and with fine which may extend to two thousand rupees.

Power to make rules

32. The State Government may, unless otherwise required by this Act, by notification in the *Official Gazette*, make rules for carrying out the purpose of this Act.

CHAPTER VII

Temporary and transitory provisions

Transitory provisions

33. (1) Notwithstanding anything contained in this Act, the first State Council shall be appointed by the State Government from amongst the law clerks who, on the date of appointment, are entitled to practise as law clerk at any place within West Bengal

(2) Notwithstanding anything contained in this Act, the term of office of the first State Council appointed by the State Government shall be two years from the date of the first meeting of the State Council:

Provided that such members shall continue to hold office until the State Council is reconstituted in accordance with the provisions of this Act.

Removal of difficulties

34. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the *Official Gazette*, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of publication of this Act in the *Official Gazette*.

(2) Any order made under sub-section (1) may have retrospective effect from a date not earlier than the date of commencement of this Act.